

**ANNEX 7A**

**INDIA'S SCHEDULE OF SPECIFIC COMMITMENTS**

Sector or Sub-Sector	Limitations on Market Access	Limitations on National Treatment	Additional Commitments
<b>I. HORIZONTAL COMMITMENTS</b>			
<p>ALL SECTORS INCLUDED IN THIS SCHEDULE</p>	<p>Mode 3: Prior Government approval shall be required where a joint venture or technology transfer/trademark agreement existed in the 'same' field except in the case of investment by Venture Capital Funds registered with the Security &amp; Exchange Board of India or where in the 'existing' joint venture investment by either of the parties is less than 3% or where the existing joint venture is defunct or sick.</p> <p>Mode 3 and 4: Access to Scheduled areas and Tribal Areas covered under the V and VI Schedule of the Constitution of India may be denied.</p>	<p>Mode 3:</p> <ul style="list-style-type: none"> <li>- For transfer of equity in an existing company to the investor of the other party where Security &amp; Exchange Board of India (Substantial Acquisition of Shares and Takeovers) Regulations, 1997 as amended, are Applicable.</li> <li>- Repatriation of sale proceeds of immovable property is subject to prior approval of Reserve Bank of India.</li> <li>- Taxation laws for domestic and foreign service suppliers, as per the provisions of the Income tax Act, 1961, shall apply.</li> <li>- Subsidies, where granted, shall be available only to domestic service suppliers.</li> <li>- In case of collaboration with public sector enterprises or government undertakings as joint venture</li> </ul>	

		<p>partners, preference in access will be given to foreign service suppliers/entities which offer the best terms for transfer of technology.</p> <p>Mode 3 and 4:</p> <ul style="list-style-type: none"> <li>- Special treatment may be provided to Scheduled Castes, Scheduled Tribes and weaker sections of society, as laid down in the Constitution of India as well as various legislation.</li> <li>- Access to Scheduled areas and Tribal areas covered under the V and VI Schedule of the Constitution of India may be denied.</li> </ul>	
	Mode 4: Unbound except as per the commitments in the Chapter 9 on Movement of Natural Persons		

<b>SECTOR SPECIFIC COMMITMENTS</b>			
Accounting and bookkeeping services (CPC 862**) excluding Auditing services)	<p>Mode 1 : None</p> <p>Mode 2 : None</p> <p>Mode 3 : Unbound</p> <p>Mode 4: Unbound except as in horizontal commitments for independent professionals on basis of contract subject to fulfillment of criterion of registration with relevant Accountancy body in India and obtaining of professional indemnity insurance from home country for a period of stay of up to 12 months.</p>	<p>Mode 1: None</p> <p>Mode 2: None</p> <p>Mode 3: Unbound</p> <p>Mode 4 : Unbound except as in horizontal commitments for independent professionals on basis of contract subject to fulfilment of criterion of registration with relevant Accountancy body in India and obtaining of professional indemnity insurance from home country for a period of stay of up to 12 months.</p>	
Advisory Taxation services excluding authentication of statutory audit reports (CPC 863**)	<p>Mode 1: None, except for the limitation that personal appearance before Indian Tax authorities is confined to Indian nationals receiving such services only.</p> <p>Mode 2: None, except for the limitation that personal appearance before Indian Tax authorities is confined to Indian nationals receiving such services only.</p> <p>Mode 3: Unbound</p> <p>Mode 4: Unbound</p>	<p>Mode 1: None, except for the limitation that personal appearance before Indian Tax authorities is confined to Indian nationals only.</p> <p>Mode 2: None, except for the limitation that personal appearance before Indian Tax authorities is confined to Indian nationals only.</p> <p>Mode 3: Unbound</p> <p>Mode 4: Unbound</p>	
Architectural services (CPC 8671)	Mode 1: None except that implementation in India has to be carried out by a professional	Mode 1: None	

	<p>architect physically present in India and licensed by the Council of Architecture</p> <p>Mode 2: None except that implementation in India has to be carried out by a professional architect physically present in India and licensed by the Council of Architecture</p> <p>Mode 3 : None, subject to incorporation in India as partnership firm constituted by architects and to fulfillment of other requirements as stipulated by the Council of Architecture.</p> <p>Mode 4 : Unbound except as in horizontal commitments for employees of juridical persons and for independent professionals with a contract with a final client in India and subject also to condition of registration with the Council of Architecture.</p>	<p>Mode 2: None</p> <p>Mode 3 : None, subject to incorporation in India as partnership firm constituted by architects and to fulfillment of other requirements as stipulated by the Council of Architecture.</p> <p>Mode 4 : Unbound except as in horizontal commitments for employees of juridical persons and for independent professionals with a contract with a final client in India and subject also to condition of registration with the Council of Architecture</p>	
Engineering services (CPC 8672)	<p>Mode 1 : None</p> <p>Mode 2 : None</p> <p>Mode 3 : None, subject to incorporation in India.</p> <p>Mode 4 : Unbound except as in horizontal commitments for independent professionals and employees of juridical persons in the highly skilled and managerial categories on the basis of contract with a final client in India and subject to fulfillment of qualification and licensing requirements. In the case of juridical persons, also subject to ceiling of 5% of the</p>	<p>Mode 1 : None</p> <p>Mode 2 : None</p> <p>Mode 3: None</p> <p>Mode 4: Unbound except as in horizontal commitments for independent professionals and employees of juridical persons in the highly skilled and managerial categories on the basis of contract with a final client in India and subject to fulfillment of qualification and licensing requirements. In the case of juridical persons, also subject to ceiling</p>	

	total work force on a project.	of 5% of the total work force on a project.	
Integrated engineering services (CPC 8673)	<p>Mode 1 : None</p> <p>Mode 2 : None</p> <p>Mode 3 : None, subject to incorporation in India</p> <p>Mode 4 : Unbound except as in horizontal commitments for independent professionals and employees of juridical persons in the highly skilled and managerial categories on the basis of contract with a final client in India and subject to fulfilment of qualification and licensing requirements. In the case of juridical persons, also subject to a ceiling of 5% of the total work force on a project.</p>	<p>Mode 1 : None</p> <p>Mode 2 : None</p> <p>Mode 3 : None</p> <p>Mode 4: Unbound except as in horizontal commitments for independent professionals and employees of juridical persons in the highly skilled and managerial categories on the basis of contract with a final client in India and subject to fulfilment of qualification and licensing requirements. In the case of juridical persons, also subject to a ceiling of 5% of the total work force on a project.</p>	
Urban planning services (CPC 86741)	<p>Mode 1: None, subject to compliance with domestic regulations</p> <p>Mode 2: None, subject to compliance with domestic regulations</p> <p>Mode 3: None, subject to incorporation in India as partnership firm and to fulfilment of other requirements as stipulated by the Council of Architecture and/ or any other designated regulatory agency.</p> <p>Mode 4 : Unbound except as in horizontal commitments for employees of juridical persons and for independent professionals with a contract with a final client in India and</p>	<p>Mode 1: None</p> <p>Mode 2: None</p> <p>Mode 3: None, subject to fulfilment of other requirements as stipulated by the Council of Architecture and/ or any other designated regulatory agency.</p> <p>Mode 4 : Unbound except as in horizontal commitments for employees of juridical persons and for independent professionals with a contract with a final client in India and subject also to condition of registration with the Council of Architecture and/ or any other</p>	

	subject also to condition of registration with the Council of Architecture and/ or any other designated regulatory agency.	designated regulatory agency.	
Medical and dental services (CPC 9312)	<p>Mode 1: None for provision of services on provider to provider basis such that the transaction is between established medical institutions covering areas of second opinion to help in diagnosis of cases or in the field of research.</p> <p>Mode 2: None.</p> <p>Mode 3: None, subject to incorporation in India and subject to the condition that the latest technology for treatment will be brought in. Also, publicly funded services may be available only to Indian citizens or may be supplied at differential prices to persons other than Indian citizens.</p> <p>Mode 4: Unbound pending finalisation of MRA</p>	<p>Mode 1: None.</p> <p>Mode 2: None.</p> <p>Mode 3: Publicly funded services may be available only to Indian citizens or may be supplied at differential prices to persons other than Indian citizens.</p> <p>Mode 4: Unbound pending finalisation of Mutual Recognition Agreement (MRA)</p>	
Veterinary services (CPC 932)	<p>Mode 1: None</p> <p>Mode 2: None</p> <p>Mode 3: None</p> <p>Mode 4: Unbound except as in horizontal commitments</p>	<p>Mode 1: None</p> <p>Mode 2: None</p> <p>Mode 3: None</p> <p>Mode 4: Unbound except as in horizontal commitments</p>	
Services provided by midwives, nurses, physiotherapists and para-medical personnel (CPC 93191)	<p>Mode 1: Unbound*</p> <p>Mode 2: None</p> <p>Mode 3: None, subject to incorporation in India and subject to the condition that the latest technology for treatment will be brought in. Also, publicly funded services may be</p>	<p>Mode 1: Unbound*</p> <p>Mode 2: None.</p> <p>Mode 3: Publicly funded services may be available only to Indian citizens or may be supplied at differential prices to persons other than Indian citizens.</p>	

	<p>available only to Indian citizens or may be supplied at differential prices to persons other than Indian citizens.</p> <p>Mode 4: Unbound pending finalisation of MRA</p> <p>* technically infeasible</p>	Mode 4: Unbound pending finalisation of MRA	
<p>B. Computer and related services (CPC 841, 842, 843, 844, 845, 849)</p>	<p>Mode 1 : None</p> <p>Mode 2 : None</p> <p>Mode 3 : None</p> <p>Mode 4: Unbound except as in horizontal commitments for employees of juridical persons and for independent professionals with a contract with a final client in India</p>	<p>Mode 1: None</p> <p>Mode 2: None</p> <p>Mode 3: None</p> <p>Mode 4: Unbound except as in horizontal commitments for employees of juridical persons and for independent professionals with a contract with a final client in India</p>	
<b>C. Research and Development Services</b>			
<p>Research and dev services on the following natural sciences only: Heat, light, electro-</p>	<p>Mode 1 : None</p> <p>Mode 2 : None</p> <p>Mode 3 : None</p> <p>Mode 4 : Unbound except as in horizontal commitments for independent professionals and employees of juridical persons on the basis</p>	<p>Mode 1: None</p> <p>Mode 2: None</p> <p>Mode 3: None</p> <p>Mode 4: Unbound except as in horizontal commitments for employees of juridical persons and for independent</p>	

magnetism, astronomy, but excluded atomic energy and related matters (CPC 85101)	of contract with a final client in India	professionals with a contract with a final client in India	
Engineering and technology, including applied science and technology for casting, metal, machinery, electricity, communications, vessels, aircrafts, civil engineering, construction, information, etc. (CPC 85103)	Mode 1: None Mode 2: None Mode 3: None Mode 4: Unbound except as in horizontal commitments for independent professionals and employees of juridical persons on the basis of contract with a final client in India	Mode 1: None Mode 2: None Mode 3: None Mode 4: Unbound except as in horizontal commitments for employees of juridical persons and for independent professionals with a contract with a final client in India	
R&D services in biotechnology, excluding medical biotechnology	Mode 1 : None Mode 2 : None Mode 3 : None Mode 4 : Unbound except as in horizontal commitments for independent professionals and employees of juridical persons on the basis of contract with a final client in India	Mode 1 : None Mode 2 : None Mode 3 : None Mode 4 : Unbound except as in horizontal commitments for independent professionals and employees of juridical persons on the basis of contract with a final client in India	
R&D services in Agricultural Sciences	Mode 1 : None	Mode 1 : None	

	Mode 2 : None Mode 3 : Unbound Mode 4 : Unbound	Mode 2 : None Mode 3 : Unbound Mode 4 : Unbound	
<b>D. Real Estate Services</b>			
Real estate services on a fee or contract basis (CPC 822)	Mode 1: Unbound Mode 2: Unbound Mode 3: None for Consultancy Services, subject to Foreign Investment Promotion Board approval.  Mode 4: Unbound	Mode 1 : Unbound Mode 2 : Unbound Mode 3 : Unbound Mode 4 : Unbound	
<b>E. Rental/ Leasing Services without Operators</b>			
Rental/ leasing services without operators relating to ships (CPC 83103) (excluding the services of actual international transport of Cargo)	Mode 1: None Mode 2: None Mode 3: None, for supply of services through registered Indian company. Mode 4 : Unbound	Mode 1: None Mode 2: None Mode 3: None, except that prescribed minimum capitalisation norms must be adhered to.  Mode 4 : Unbound	

Rental/ leasing services without operators relating to aircraft (CPC 83104)	Mode 1: None Mode 2: None Mode 3: None Mode 4: Unbound except as in horizontal commitments	Mode 1 : None Mode 2 : None Mode 3 : None, except that prescribed minimum capitalisation norms must be adhered to. Mode 4 : Unbound except as in horizontal commitments	
Rental/ leasing services without operators relating to other machinery and equipment (CPC 83106 –83109)	Mode 1 : Unbound Mode 2 : Unbound Mode 3 : None Mode 4 : Unbound.	Mode 1 : Unbound Mode 2 : Unbound Mode 3 : None, except that prescribed minimum capitalisation norms must be adhered to. Mode 4 : Unbound	
Rental/ leasing services without operators relating to other transport equipment (CPC 83101 + 83102 + 83105) (excluding Railroad Transport & Multimodal Transport)	Mode 1 : Unbound Mode 2 : Unbound Mode 3 : None Mode 4: Unbound.	Mode 1 : Unbound Mode 2 : Unbound Mode 3 : None, except that prescribed minimum capitalisation norms must be adhered to. Mode 4 : Unbound	
Rental/ leasing services concerning personal and household goods (CPC 832)	Mode 1 : Unbound Mode 2 : Unbound Mode 3 : None, subject to collaboration with Indian partner Mode 4 : Unbound	Mode 1 : Unbound Mode 2 : Unbound Mode 3 : None, except that prescribed minimum capitalisation norms must be adhered to and subject to collaboration with Indian partner. Mode 4 : Unbound	

<b>F. Other Business Services</b>			
<p>Sale of leasing services of advertising space of time (CPC 87110)            Planning, creating and placement of services of advertising (CPC 87120)</p>	<p>Mode 1 : None, subject to the requirement that foreign channels must seek advertising for the down link beam through domestic entities and foreign print media must seek advertisements through domestic entities.</p> <p>Mode 2 : None</p> <p>Mode 3 : None, subject to incorporation and foreign equity ceiling of 49%. Management and control must be located in India.</p> <p>Mode 4 : Unbound except as in horizontal commitments for independent professionals and employees of juridical persons on the basis of contract with a final client in India</p>	<p>Mode 1 : None, subject to requirement that majority of content would be created locally by Indian nationals.</p> <p>Mode 2 : None</p> <p>Mode 3 : None</p> <p>Mode 4 : Unbound except as in horizontal commitments for independent professionals and employees of juridical persons on the basis of contract with a final client in India.</p>	
<p>Management consulting services excluding all services relating to legal consultancy (CPC 86501**, 86502**, 86503**, 86505**, 86506**, 86509**)</p>	<p>Mode 1 : None</p> <p>Mode 2 : None</p> <p>Mode 3 : None</p> <p>Mode 4 : Unbound except as in horizontal commitments for independent professionals on the basis of contract with a final client in India</p>	<p>Mode 1 : None</p> <p>Mode 2 : None</p> <p>Mode 3 : None</p> <p>Mode 4 : Unbound except as in horizontal commitments for independent professionals on the basis of contract with a final client in India.</p>	

Services related to management consulting (CPC 86601)	<p>Mode 1 : None</p> <p>Mode 2 : None</p> <p>Mode 3 : None</p> <p>Mode 4 : Unbound except as in horizontal commitments for independent professionals on the basis of contract with a final client in India.</p>	<p>Mode 1 : None</p> <p>Mode 2 : None</p> <p>Mode 3 : None</p> <p>Mode 4 : Unbound except as in horizontal commitments for independent professionals on the basis of contract with a final client in India</p>	
Services incidental to fishing (CPC 882)	<p>Mode 1 : None</p> <p>Mode 2 : None</p> <p>Mode 3 : None</p> <p>Mode 4 : Unbound except as in horizontal commitments</p>	<p>Mode 1 : None</p> <p>Mode 2 : None</p> <p>Mode 3 : None</p> <p>Mode 4 : Unbound except as in horizontal commitments</p>	
Services incidental to mining (CPC 883 +5115)	<p>Mode 1 : None</p> <p>Mode 2 : None</p> <p>Mode 3 : None, subject to incorporation in India</p> <p>Mode 4: Unbound except as in horizontal commitments for independent professionals and employees of juridical persons on the basis of contract with a final client in India</p>	<p>Mode 1 : None</p> <p>Mode 2 : None</p> <p>Mode 3 : None</p> <p>Mode 4 : Unbound except as in horizontal commitments for independent professionals and employees of juridical persons on the basis of contract with a final client in India</p>	
Services incidental to energy distribution (CPC 887 ** excluding energy trading and load dispatch functions)	<p>Mode 1: None</p> <p>Mode 2: None</p> <p>Mode 3: None</p> <p>Mode 4: Unbound except as in horizontal commitments for independent professionals and employees of juridical persons on the basis of contract with a final client in India.</p>	<p>Mode 1: None</p> <p>Mode 2: None</p> <p>Mode 3: None</p> <p>Mode 4: Unbound except as in horizontal commitments for independent professionals and employees of juridical persons on the basis of contract with a final client in India</p>	

Placement and supply services of Personnel (CPC 872)	Mode 1 : None Mode 2 : None Mode 3 : None Mode 4 : Unbound except as in horizontal commitments	Mode 1: None Mode 2: None Mode 3: None Mode 4: Unbound except as in horizontal commitments	
Maintenance and repair of equipment (not including maritime vessels, aircraft or other transport equipment) (CPC 633)	Mode 1 : Unbound Mode 2 : Unbound Mode 3 : None, subject to incorporation with a foreign equity ceiling of 51 per cent Mode 4 : Unbound	Mode 1 : Unbound Mode 2 : Unbound Mode 3 : None Mode 4 : Unbound	
Building-cleaning services (CPC 874)	Mode 1 : None Mode 2 : None Mode 3 : None Mode 4 : Unbound except as in horizontal commitments	Mode 1 : None Mode 2 : None Mode 3 : None Mode 4 : Unbound except as in horizontal commitments	
Photographic Services excluding aerial photography, satellite pictures and satellite enabled photography (CPC 875**)	Mode 1 : None Mode 2 : None Mode 3 : None Mode 4 : Unbound except as in horizontal commitments	Mode 1 : None Mode 2 : None Mode 3 : None Mode 4: Unbound except as in horizontal commitments	
Packaging Services (CPC 876)	Mode 1 : None Mode 2 : None Mode 3 : None Mode 4 : Unbound except as in horizontal commitments	Mode 1 : None Mode 2 : None Mode 3 : None Mode 4 : Unbound except as in horizontal commitments	

Convention services (CPC 87909**)	Mode 1: None Mode 2: None Mode 3: None Mode 4: Unbound except as in horizontal commitments	Mode 1 : None Mode 2 : None Mode 3 : None Mode 4 : Unbound except as in horizontal commitments	
Specialty design services (CPC 87907)	Mode 1: None Mode 2: None Mode 3: None subject to incorporation in India and foreign equity cap of 51%. Mode 4: Unbound	Mode 1: None Mode 2: None Mode 3: None Mode 4: Unbound	
Technical testing and analysis services excluding testing and analysis services of automobiles (CPC 8676**)	Mode 1: None Mode 2: None Mode 3: None, subject to incorporation Mode 4: Unbound	Mode 1: None Mode 2: None Mode 3: None Mode 4: Unbound	
<b>2. Communication Services</b>			
C. Telecommunication services (CPC 752) <sup>1</sup>			

<sup>1</sup> Excluding broadcasting services and measures affecting such services. Broadcasting is defined as a form of the uni-directional telecommunications intended for large number of users having appropriate receiving facilities and carried out by means of radio or cable network. This may include sound transmission, television transmission or other types of transmission.

<p>a) Public Telephone Service (CPC 7521**)</p> <p>i) Public Local Telephone Service</p> <p>ii) Public Long Distance Telephone Service</p> <p>iii) Mobile Telephone Service</p>	<p>Mode 1: Unbound</p> <p>Mode 2: None</p> <p>Mode 3:</p> <p>a) The detailed terms and conditions for providing the service will be as per license conditions</p> <p>b) Total foreign equity must not exceed 49% in a company registered in India under the Companies Act 1956 and such investment will be governed by Foreign Exchange Management Act (FEMA)</p> <p>c) Resale of Public Telephone Services is not permitted. However, licensees can grant franchises on commission basis for providing public call offices (PCOs) service.</p> <p>Mode 4: Unbound except as indicated in the horizontal commitments</p>	<p>Mode 1: Unbound</p> <p>Mode 2: None</p> <p>Mode 3: None, except on the grounds of public and national interest.</p> <p>Mode 4: Unbound except as indicated in the horizontal commitments</p>	
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<p>(b) Packet Switched Data Transmission including telex Services (CPC 7523**)</p>	<p>Mode 1: Unbound</p> <p>Mode 2: None</p> <p>Mode 3:</p> <p>a) The detailed terms and conditions for providing the service will be as per license conditions.</p> <p>b) Total foreign equity must not exceed 49% in a company registered in India under the Companies Act 1956 and such investment will be governed by Foreign Exchange Management Act (FEMA).</p> <p>c) Resale of Public Telephone Services is not permitted. However, licensees can grant franchises on commission basis for providing public call offices (PCOs) service.</p> <p>Mode 4: Unbound except as indicated in the horizontal commitments</p>	<p>Mode 1: Unbound</p> <p>Mode 2: None</p> <p>Mode 3: None, except on the grounds of public and national interest.</p> <p>Mode 4: Unbound except as indicated in the horizontal commitments</p>	
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<p>(c) Circuit switched data transmission services (CPC 7523**)</p>	<p>Mode 1: Unbound</p> <p>Mode 2: None</p> <p>Mode 3: Licensed Public Telephone Service (CPC 7521**) operators will be permitted to transmit data on the PSTN<sup>2</sup> network in its licensed service area.</p> <p>Mode 4: Unbound except as indicated in the horizontal commitments</p>	<p>Mode 1: Unbound</p> <p>Mode 2: None</p> <p>Mode 3: None, except on the grounds of public and national interest.</p> <p>Mode 4: Unbound except as indicated in the horizontal commitments</p>	
<p>(d) Facsimile Service (CPC 7521** + CPC 7529**)</p>	<p>Mode 1: Unbound</p> <p>Mode 2: None</p> <p>Mode 3: Licensed Public Telephone Service (CPC 7521**) operators will be permitted for transmission of facsimile on the PSTN<sup>2</sup> network in its licensed service area. Franchisees of service operators can provide commercial facsimile services.</p> <p>Mode 4: Unbound except as indicated in the horizontal commitments</p>	<p>Mode 1: Unbound</p> <p>Mode 2: None</p> <p>Mode 3: None, except on the grounds of public and national interest.</p> <p>Mode 4: Unbound except as indicated in the horizontal commitments</p>	

<sup>2</sup> PSTN refers to Public Telephone Service Network which is operated by licensed operators

<p>(e) Private Leased Circuit Services (CPC 7522** +CPC 7523**)</p>	<p>Mode 1: Unbound</p> <p>Mode 2: None</p> <p>Mode 3:</p> <p>a) Licensed Public Telephone Service (CPC 7521**) operators will be permitted to provide Leased Circuit to their customers, for their own use within the licensed service area.</p> <p>b) Resale of leased circuits will not be permitted</p> <p>Mode 4: Unbound except as indicated in the horizontal commitments</p>	<p>Mode 1: Unbound</p> <p>Mode 2: None</p> <p>Mode 3: None, except on the grounds of public and national interest.</p> <p>Mode 4: Unbound except as indicated in the horizontal commitments</p>	
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<p>(f) Data and message transmission services, the following:</p> <p>i) Electronic mail (CPC 7523**)</p> <p>ii) Voice mail (CPC 7523**)</p> <p>iii) On-line information and data base retrieval (CPC 7523**)</p> <p>iv) Enhanced / value added facsimile services, including store and forward, store and retrieve (CPC 7523**)</p> <p>v) On-line information and/or data processing (CPC 843**)</p>	<p>Mode 1: None</p> <p>Mode 2: None</p> <p>Mode 3: Total foreign equity must not exceed 51% in a company registered in India under the Companies Act 1956 and such investment will be governed by Foreign Exchange Management Act (FEMA).</p> <p>Mode 4: Unbound except as indicated in the horizontal commitments</p>	<p>Mode 1: None</p> <p>Mode 2: None</p> <p>Mode 3: None</p> <p>Mode 4: Unbound except as indicated as indicated in the horizontal section.</p>	
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<p>(g) Other</p> <p>(i) V-Sat Services</p> <p>(ii) Radio Paging Service</p>	<p>Mode 1: Unbound</p> <p>Mode 2: None</p> <p>Mode 3:</p> <p>a) The detailed terms and conditions for providing the service will be as per license conditions</p> <p>b) Total foreign equity must not exceed 49% in a company registered in India under the Companies Act 1956 and such investment will be governed by Foreign Exchange Management Act (FEMA)</p> <p>c) Resale of Public Telephone Services is not permitted. However, licensees can grant franchises on commission basis for providing public call offices (PCOs) service.</p> <p>Mode 4: Unbound except as indicated in the horizontal commitments</p>	<p>Mode 1: Unbound</p> <p>Mode 2: None</p> <p>Mode 3: None, except on the grounds of public and national interest.</p> <p>Mode 4: Unbound except as indicated in the horizontal commitments</p>	
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<p>(h) Internet and Infrastructure Services</p> <p>i) Internet Services (with gateways)</p> <p>ii) Internet Services (without gateways)</p> <p>iii) Infrastructure Providers (Cat I)</p> <p>iv) Infrastructure Providers (Cat II)</p>	<p>Mode 1: Unbound</p> <p>Mode 2: None</p> <p>Mode 3:</p> <p>a) The detailed terms and conditions for providing the service will be as per license conditions</p> <p>b) Total foreign equity must not exceed 74% in a company registered in India under the Companies Act 1956 and such investment will be governed by Foreign Exchange Management Act (FEMA)</p> <p>c) Resale of Services is not permitted. However, licensees can grant franchises on commission basis for providing public call offices (PCOs) service.</p> <p>Mode 4: Unbound except as indicated in the horizontal commitments</p>	<p>Mode 1: Unbound</p> <p>Mode 2: None</p> <p>Mode 3: None, except on the grounds of public and national interest</p> <p>Mode 4: Unbound except as indicated in the horizontal commitments</p>	
<b>D. Audio-visual Services</b>			
<p>D. <u>Audiovisual Services</u></p> <p>(a) Motion picture or video tape distribution services (CPC 96113)</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) (i) Only through representative offices which will be allowed to function as branches of companies incorporated outside India.</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Subject to the prescribed authority having certified that the motion picture has:</p> <p>(a) won an award in any of the international film festivals</p>	

	<p>(ii) Import of titles restricted to 100 per year</p> <p>4) Unbound except as indicated in the horizontal section.</p>	<p>notified by the Ministry of Information &amp; Broadcasting, Government of India; or</p> <p>(b) participated in any of the official sections of the notified international film festivals; or</p> <p>(c) received good reviews in prestigious film journals notified by the Ministry of Information &amp; Broadcasting, Government of India</p> <p>4) Unbound except as indicated in the horizontal section.</p>	
<b>Construction &amp; Related Engineering Services</b>			
<p>a. General Construction Work for Buildings (CPC 512)</p> <p>b. General construction work for civil engineering (CPC 513)</p> <p>c. Installation and assembly work (CPC 514, 516)</p> <p>d. Building completion and finishing work (CPC 517)</p> <p>e. Others (CPC 511, 515, 518)</p>	<p>Mode 1: None</p> <p>Mode 2: None</p> <p>Mode 3: None, subject to incorporation in India.</p> <p>Mode 4: Unbound except as in horizontal commitments for independent professionals and employees of juridical persons and subject to contract with final client in India.</p>	<p>Mode 1: None</p> <p>Mode 2: None</p> <p>Mode 3: None, subject to incorporation in India and also subject to the condition that prescribed minimum capitalisation norms must be adhered to.</p> <p>.</p> <p>Mode 4: Unbound except as in horizontal commitments for independent professionals and employees of juridical persons and subject to contract with final client in India.</p>	

<b>4. Distribution Services (excluding live animals)</b>			
Commission agents' services covering services provided by an agent who does not own the goods or enjoy right of action in his own name but only acts as a facilitator amongst or between wholesalers and retailers	<p>Mode 1: None  Mode 2: None  Mode 3: None, subject to approval of RBI/FIPB and conformity with FEMA regulations, as applicable.    Mode 4: Unbound</p>	<p>Mode 1: None  Mode 2: None  Mode 3: None  Mode 4: Unbound</p>	
Wholesale trade services covering sale of goods or commodities for resale and sale for further distribution	<p>Mode 1: None  Mode 2: None  Mode 3: None, subject to approval of RBI/FIPB and conformity with FEMA regulations, as applicable.  Mode 4: Unbound</p>	<p>Mode 1: None  Mode 2: None  Mode 3: None  Mode 4: Unbound</p>	

## 7. FINANCIAL SERVICES

The commitments are scheduled based on the classification of Financial Services Sectors as provided in GATS and the GATS Annex on Financial Services. All the commitments are subject to entry requirements, domestic laws, rules and regulations, guidelines and the terms and conditions of the Reserve Bank of India, Securities and Exchange Board of India and any other competent authority in India, which are within the framework of Article 7.10 (Domestic Regulation) and paragraph 2 (Domestic Regulations) of the Annex on Financial Services.

<p>A. <u>Insurance and Insurance Related Services</u></p> <p>a. Life Insurance [5(a) (i) (A)]</p> <p>b. Non-Life Insurance [5(a) (i) (B)]</p>	<p>1) Unbound except in the case of insurance of freight, where there is no requirement that goods in transit to and from India should be insured with Indian insurance companies only. Insurance is taken by the buyer or seller in accordance with the terms of the contract. This position will be maintained. Once under a contract the Indian importer or exporter agrees to assume the responsibility for insurance such as in the case of f.o.b. contracts for imports into India or c.i.f. contracts for exports from India, insurance has to be taken only with an Indian insurance company.</p> <p>2) Unbound</p> <p>3) None except establishment shall be through incorporation with foreign equity not exceeding 26 per cent—and subject to the condition that in the case of foreign investors having prior collaboration in that specific service sector in India, FIPB approval would be required. In addition, each of the three Singapore banks named in Article</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p>	
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	<p>7.1(e) shall be permitted to incorporate one insurance company, provided that none of these banks referred to above, individually or collectively, hold more than 26% equity in any of the insurance companies incorporated in India to provide insurance services.</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>4) Unbound except as indicated in the horizontal section</p>	
<p>Reinsurance and retrocession 5(a)(ii)</p>	<p>1),2) Reinsurance can be taken with foreign reinsurers to the extent of the residual uncovered risk after obligatory or statutory placements domestically with Indian insurance companies.</p> <p>3) Unbound</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>1) Unbound</p> <p>2) Unbound</p> <p>3) Unbound</p> <p>4) Unbound except as indicated in the horizontal section</p>	
<p>Insurance intermediation, limited to reinsurance Ex. 5(a)(iii)</p>	<p>1),2) Reinsurance of domestic risks can be placed with foreign reinsurers through overseas brokers, to the extent mentioned under reinsurance and retrocession</p>	<p>1) Unbound</p> <p>2) Unbound</p>	

	<p>3) (i) Overseas brokers are allowed to have resident representatives and representative offices who can procure reinsurance business from Indian insurance companies to the extent mentioned above. They can also place reinsurance business from abroad with Indian insurance companies</p> <p>(ii) Except for the business indicated above, the resident representatives and representative offices cannot undertake any other activity in India.</p> <p>(iii) All expenses of the resident representatives and representative offices have to be met by remittances from abroad and no income can be received in India from Indian residents.</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>3) Unbound</p> <p>4) Unbound except as indicated in the horizontal section</p>	
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The following section has been re-formulated to bring it in conformity with the Financial Services Sector listed in the Annex on Financial Services.

<p>B. <u>Banking and other financial services (excluding insurance)</u></p> <p>1.(i) Acceptance of deposits and other repayable funds from the public 5(a)(v)</p> <p>(ii) Lending of all types, including consumer credit, mortgage credit, Factoring and financing of commercial transactions Ex. 5(a)(vi)</p> <p>(iii) All payment and money transmission services including credit, charge and debit cards, travellers cheques and bankers' drafts 5(a)(viii)</p>	<p>1) Unbound 2) Unbound 3) In each of the services given below in which commitments are being undertaken for Banking and non-banking financial services companies, access is subject to fulfilment of minimum capitalization norms.</p> <p><i>For all activities listed in this section of the Schedule excluding factoring and venture capital</i></p> <p>(i) Each of the three Singapore banks named in Article 7.1(e) is limited to “one mode of presence” through (a) establishing not more than one wholly owned subsidiary or (b) operating through branches in India or (c) establishing a joint venture company in India, to supply banking services in India.</p> <p>(ii) Grant of licence as permissible under existing laws.</p>	<p>1) Unbound 2) Unbound 3) For all activities listed in this section of the Schedule excluding factoring and venture capital</p> <p>i) Public sector enterprises can invest surplus funds in term deposits only with scheduled commercial banks incorporated in India.</p> <p>ii) For Wholly owned subsidiaries of banks Unbound except in the case of branching including the number of branches that can be opened, places of operations and prudential requirements.</p>	
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<p>(iv) Guarantees and commitments 5(a)(ix)</p> <p>(v) Trading for own account of the following:</p> <p>(a) money market instruments (including cheques, bills, certificates of deposits)</p> <p>(b) foreign exchange</p> <p>(c) transferable securities Ex. 5(a)(x)(A)(B)(E)</p> <p>(vi) Asset Management, confined to Portfolio management, custodial and trust services Ex. 5(a)(xiii)</p> <p>(vii) Clearing services for other banks for cheques, drafts and other instruments Ex. 5(a)(xiv)</p>	<p>(iii) <i>For banks that operate as branches:</i> Fifteen branches over four years for the three Singapore banks named in Article 7.1 (e) would be allowed.</p> <p>(iv) Banks are allowed to install ATMs at branches and at other places identified by them. Installation of ATM at a place other than in licensed branches is treated as a new place of business and requires a licence. Licences issued for ATMs installed by foreign banks will not be included in the ceiling of fifteen licences referred to in item (iii) above.</p> <p>(v) Investments in other financial services companies by branches of foreign banks licensed to do banking business in India individually not to exceed 10 per cent of owned funds or 30 per cent of the invested company's capital whichever is lower.</p> <p>(vi) Licences for new foreign banks may be denied when the maximum share of assets in India both on and off balance sheet of foreign banks to total assets both on and off balance sheet of the banking system exceeds 15 per cent.</p> <p>(vii) Foreign banks are subject to non-discriminatory resource allocation requirements.</p>	<p>(iii) The minimum capital requirement for asset management companies owned or controlled by Singapore juridical persons established in India with more than 74% foreign direct investment is US \$ 30 million.</p>	
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	<p>(viii) In addition, Singapore banks are permitted to invest in private sector banks through the FDI route subject to the condition that total investment (foreign direct investment and foreign institutional investment) shall not exceed 74% but subject to limitation of ‘one mode presence’ as specified in item (i).</p> <p>In case of Singapore banks already present in India, a time bound plan covering a period not exceeding six months to conform to the ‘one form of presence’ will have to be submitted along with the application of acquisition.</p> <p>(ix) SEBI regulated exchange traded funds managed by asset management companies owned or controlled by Singapore or India juridical persons can invest in equities traded on SGX, without the limitation that the company in which investments are made should have a stake in an Indian company.</p>		
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	<p>Further, only SEBI regulated funds managed by asset management companies owned or controlled by Singapore or India juridical persons and intermediaries owned or controlled by Singapore or India juridical persons, are permitted to offer mutual funds and collective investment schemes listed on the Singapore Exchange, to investors in India, without the limitation that the company in which investments are made should have a stake in an Indian company.</p> <p>(x) Asset management companies established in India, which are owned or controlled by Singapore or India juridical persons and which supply financial services to investors in India, are permitted to invest US\$ 250 million in equities and instruments listed on the Singapore Exchange, including Exchange Traded Funds, mutual funds and collective investment schemes, over and above the cap of US \$ 1 billion.</p> <p>(xi) Indian Depository Receipts are permitted to be offered in India with Singapore listed shares as underlying assets. Any company listed in a recognised stock exchange of India are permitted to offer Depository Receipt to be listed on the Singapore Exchange.</p> <p><u>For transferable securities</u> [5(a)(x)(E)]  (xii) In addition to the above, through establishment of locally incorporated joint venture company with foreign equity not exceeding 74 per cent. The foreign equity participation will be limited to recognized foreign stock broking companies.</p>	<p><u>For transferable securities</u></p> <p>[5(a)(x)(E)]</p> <p>(iv) Unbound except for entities established in accordance with the limitations specified in the market access column</p>	
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<p>(vii) Clearing services for other banks for cheques, drafts and other instruments Ex. 5(a)(xiv)</p>	<p><b><u>For Factoring</u></b>  1) Unbound  2) Unbound  3) (i) Allowed for foreign financial services companies (excluding banks) through incorporation, subject to the condition that foreign equity must not exceed 74%.</p> <p>Allowed for banks through incorporation with foreign equity not exceeding 51 per cent</p>	<p>4) Unbound except as indicated in the horizontal section</p> <p><b><u>For Factoring</u></b>  1) Unbound  2) Unbound  3) Unbound except for entities established in accordance with the limitations specified in the market access column.</p>	
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	<p>4) Unbound except as indicated in the horizontal section</p> <p><i>Venture Capital</i></p> <p>1) Unbound 2) Unbound</p> <p>3)(i) Allowed for foreign financial services companies (excluding banks) through incorporation, subject to the condition that foreign equity must not exceed 74%.</p> <p>Allowed for banks through incorporation with foreign equity not exceeding 51 per cent</p> <p>(ii) Funding has to be entirely out of equity.</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>4) Unbound except as indicated in the horizontal section</p> <p><i>Venture Capital</i></p> <p>1) Unbound 2) Unbound</p> <p>3) Unbound except for entities established in accordance with the limitations specified in the market access column</p> <p>4) Unbound except as indicated in the horizontal section</p>	
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<p>2. Financial leasing 5(a)(vii)</p>	<p>1) Unbound 2) Unbound 3) Allowed for foreign financial services companies (excluding banks) through incorporation, subject to the condition that foreign equity must not exceed 74%.</p> <p>Allowed for banks through incorporation with foreign equity not exceeding 51 per cent</p> <p>4) Unbound except as indicated in the horizontal section</p>	<p>1) Unbound 2) Unbound 3) Unbound except for entities established in accordance with the limitations specified in the market access column.</p> <p>4) Unbound except as indicated in the horizontal section</p>	
<p>3. Participation in issues of all kinds of securities, including underwriting and placement as agent (whether publicly or privately) and provision of services related to such issues  5(a)(xi)</p>	<p>1) Unbound 2) Unbound 3) (i) Allowed for foreign bank branches licensed to do banking business in India. (ii) Allowed for foreign financial services companies (excluding banks) through incorporation, subject to the condition that foreign equity must not exceed 74%.</p> <p>Allowed for banks through incorporation with foreign equity not exceeding 51 per cent</p>	<p>1) Unbound 2) Unbound 3) Unbound except for entities established in accordance with the limitations specified in the market access column.</p>	

	4) Unbound except as indicated in the horizontal section	4) Unbound except as indicated in the horizontal section	
4. Money broking 5(a)(xii)	1) 2) and 3) Unbound 4) Unbound except as indicated in the horizontal section	1) 2) and 3) Unbound 4) Unbound except as indicated in the horizontal section	
5. Provision and transfer of financial information, and financial data processing and related software by suppliers of other financial services 5(a)(xv)	1) and 2) None 3) Unbound 4) Unbound except as indicated in the horizontal section	1) and 2) None 3) Unbound 4) Unbound except as indicated in the horizontal section	
6. Financial consultancy services, i.e. financial advisory services provided by financial advisers, etc. to customers on financial matters, investment and portfolio research and advice, advice on acquisitions and on corporate restructuring and strategy Ex. 5(a)(xvi)	1) Unbound 2) Unbound 3)(i) Allowed for Foreign bank branches licensed to do banking business in India. (ii) Allowed for foreign financial services companies (excluding banks) through incorporation, subject to the condition that foreign equity must not exceed 74%. Allowed for banks through incorporation with foreign equity not exceeding 51 per cent 4) Unbound except as indicated in the horizontal section	1) Unbound 2) Unbound 3) Unbound except for entities established in accordance with the limitations specified in the market access column. 4) Unbound except as indicated in the horizontal section	

<b>8. Health Related and Social services</b>			
Hospital Services (CPC 9311)	<p>Mode 1: None for provider to provider services</p> <p>Mode 2: None for provider to provider services</p> <p>Mode 3: None subject to the condition that</p> <p>i) the latest technology for treatment will be brought in.</p> <p>ii) publicly funded services may be available only to Indian citizens or may be supplied at differential prices to persons other than Indian citizens.</p> <p>Mode 4: Unbound</p>	<p>Mode 1: None.</p> <p>Mode 2: None</p> <p>Mode 3: Publicly funded services may be available only to Indian citizens or may be supplied at differential prices to persons other than Indian citizens.</p> <p>Mode 4: Unbound except as indicated in the horizontal section</p>	
<b>9. Tourism and Travel Related Services</b>			
Hotels and Restaurants (incl. Catering) (CPC 641-643)	<p>Mode 1: None</p> <p>Mode 2: None</p> <p>Mode 3: None</p> <p>Mode 4: Unbound except as in horizontal commitments and subject to reciprocity.</p>	<p>Mode 1: None</p> <p>Mode 2: None</p> <p>Mode 3: None</p> <p>Mode 4: Unbound except as in horizontal commitments</p>	

Travel agencies and tour operators services (CPC 7471)	Mode 1: None Mode 2: None Mode 3: None Mode 4: Unbound except as in horizontal commitments and subject to reciprocity	Mode 1: None Mode 2: None Mode 3: None Mode 4: Unbound except as in horizontal commitments	
<b>10. Recreational, Cultural and Sporting services (other than Audio-visual services)</b>			
Library Services <b>CPC 96311)</b>	Mode 1: None Mode 2: None Mode 3: None Mode 4: Unbound except as in horizontal commitments	Mode 1: None Mode 2: None Mode 3: None Mode 4: Unbound except as in horizontal commitments	
Archive Services (CPC 96312)	Mode 1: None Mode 2: None Mode 3: None Mode 4: Unbound except as in horizontal commitments	Mode 1: None Mode 2: None Mode 3: None Mode 4: Unbound except as in horizontal commitments	
Sporting and other recreational services (CPC 964**) (excluding lottery and gambling services)	Mode 1: None Mode 2: None Mode 3: None, subject to reciprocity Mode 4: Unbound except as in horizontal commitments and subject to reciprocity	Mode 1: None Mode 2: None Mode 3: None Mode 4: Unbound except as in horizontal commitments	
<b>11. Transport Services</b>			
Maritime Transport Services			

**Maritime Transport Services:** The commitments in Maritime Transport are made in accordance with the General Agreement on Trade in Services. All commitments are subject to domestic laws, entry requirements, rules and regulations and the terms and conditions of the Directorate General of Shipping, Mumbai, Reserve Bank of India and any other competent authority in India. Supply of Maritime Auxillary Service through commercial presence under mode 3 will be only through registered Indian Company.

<p>International Transport Freight and passengers excluding LNG, cabotage and offshore transport (CPC 7211, 7212) and as further defined in Attachment A</p>	<p>Mode 1: Unbound Mode 2: Unbound Mode 3: a) None, except for stipulation that only registered companies, or cooperative societies under any Central Act or State Act having its principal place of business in India can operate a ship under the Indian Flag.</p> <p>b) Other forms of commercial presence for the supply of International Maritime Transport Services: Unbound *</p> <p>Mode 4: Unbound</p> <p>* “Other forms of Commercial Presence for the supply of International Transport Services” means ability for International Maritime Transport Service suppliers to undertake local activities which are necessary for the supply to their customers of partially or fully integrated transport services, within which maritime transport constitutes a substantial element</p>	<p>Mode 1: Unbound Mode 2: Unbound Mode 3: Freight : Unbound Passenger: None Mode 4: Unbound</p>	
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Maritime Auxiliary Services			
Maritime Cargo Handling services	<ul style="list-style-type: none"> <li>1) Unbound*</li> <li>2) None</li> <li>3) None, except as indicated in Horizontal commitment/ Head Note to this Schedule</li> <li>4) None</li> </ul>	<ul style="list-style-type: none"> <li>1) Unbound*</li> <li>2) None</li> <li>3) None, except as indicated in Horizontal commitment/ Head Note to this Schedule</li> <li>4) None</li> </ul>	
Maritime Agency Services ( CPC 748**)	<p>Mode 1: None</p> <p>Mode 2: None</p> <p>Mode 3: None, except as indicated in the Head Note</p> <p>Mode 4: Unbound except as in horizontal commitments</p>	<p>Mode 1: None</p> <p>Mode 2: None</p> <p>Mode 3: None except as indicated in the Head Note</p> <p>Mode 4: Unbound except as in horizontal commitments</p>	
Ship Broking Service (CPC 748**)	<p>Mode 1: Unbound</p> <p>Mode 2: None</p> <p>Mode 3: None, except as indicated in the Head Note and subject to reciprocity</p> <p>Mode 4: Unbound except as in horizontal commitments</p>	<p>Mode 1: Unbound</p> <p>Mode 2: None</p> <p>Mode 3: None, except as indicated in the Head Note</p> <p>Mode 4: Unbound except as in horizontal commitments</p>	
Classification Societies except for statutory services for Indian flagships (CPC n.a.)	<p>Mode 1: None</p> <p>Mode 2: None</p> <p>Mode 3: None, except as indicated in the Head Note</p> <p>Mode 4: Unbound except as in horizontal commitments</p>	<p>Mode 1: None</p> <p>Mode 2: None</p> <p>Mode 3: None, except as indicated in the Head Note</p> <p>Mode 4: Unbound except as in horizontal commitments</p>	

Maritime Freight Forwarding Services (CPC 748**, 749**)	Mode 1: None Mode 2: None Mode 3: None, except as indicated in the Head Note Mode 4: Unbound except as in horizontal commitments	Mode 1: None Mode 2: None Mode 3: None, except as indicated in the Head Note Mode 4: Unbound except as in horizontal commitments	
Maintenance and repairs of seagoing vessels (CPC 8868**)	Mode 1: None Mode 2: None Mode 3: None, except as indicated in the Head Note Mode 4: Unbound except as in horizontal commitments	Mode 1: None Mode 2: None Mode 3: None, except as indicated in the Head Note Mode 4: Unbound except as in horizontal commitments	
International freight transport (By Air) (CPC 732)	Mode 1: Unbound Mode 2: Unbound Mode 3: None Mode 4: Unbound	Mode 1: Unbound Mode 2: Unbound Mode 3: None Mode 4: Unbound	
Maintenance and repair of aircraft (CPC 8868**)	Mode 1: None Mode 2: None Mode 3: None Mode 4: Unbound except as in horizontal commitments	Mode 1: None Mode 2: None Mode 3: None Mode 4: Unbound except as in horizontal commitments	

Definitions Related to Maritime Transport Services

1. **“International Transport (Freight and Passenger)”**, for the purpose of this schedule, is to mean transportation of international Maritime Freight and Passengers by sea going vessels from the port of loading in one country to the port of discharge in another country.
2. **Cabotage:** This Schedule does not include any commitments on “Cabotage” or “Maritime Transport Services” which are described as transportation of passengers or goods between any port located in India and any other port also located in India and traffic originating and terminating in the same port located in the country and further includes transportation of passengers or goods between a port located in India and installation and structures situated on the continental shelf of India.
3. **Offshore Transport:** for the purposes of the schedule only, “Offshore Transport” refers to shipping services involving the transportation of passengers or goods between a port located in India and any location installation or structure associated with or incidental to the exploration or exploitation of natural resources of the continental shelf of India, the seabed of the Indian coastal seas and the subsoil of the seabed, or situated on the continental shelf of India.
4. **“Other forms of Commercial Presence for the supply of International Transport Services”** means ability for International Maritime Transport Service suppliers to undertake local activities which are necessary for the supply to their customers of a partially or fully integrated transport service, within which maritime transport constitutes a substantial element.

These activities include, but are not limited to:

- a. marketing and sales of maritime transport and related services through direct contact with customers, from quotation to invoicing, these services being those operated or offered by the service supplier itself or by service suppliers with which the service seller has established standing business arrangements;
- b. acquisition on their own about or on behalf of their customers (and the resale to their customers) for any transport and related services, including anchorage, berth and berth services, and onward transport services by any mode, particularly road and rail, inland waterways, necessary for the supply of the integrated services;
- c. the preparation of transport documents, customs documents, or other documents related to the origin and character of goods transported;
- d. the provision of business information, including computerized information systems and electronic data interchange;
- e. setting up of business arrangements with any locally established shipping agency and the appointment of personnel recruited locally (or, in the case of foreign personnel, subject to horizontal commitments on movement of personnel);

- f. organizing any aspect of the call of the vessel or taking control over cargoes;**
- g. the provision of Ships Managers' Services.**

**NOTE: {In order to enforce certain standards and conditions which need to be fulfilled by shipping service suppliers, particularly those providing ship personnel and crew and also those engaged in providing ships management services, and to ensure that the owner, operator, agent or manager has:**

- the capability of implementing international standards as well as IMO stipulations and recommendations;**
- the necessary financial structure so that he is responsible and accountable;**
- the capability of implementing, the safety; and marine pollution controls;**
- fulfilled requirements of quality management and his operations are transparent;**

**a system of registration/ licensing of shipping service supplier is under consideration in India}**

**5. "Ship Managers" means persons entering India as the agents or representatives of a ship's owner or operator for the purposes of assessing requirements, negotiating and authorizing expenditures necessary to the maintenance and operations of a vessel as well as the Handling of Cargo.**

**6. "Maritime Cargo Handling Services" means activities exercised by stevedore companies, including terminal operators, but not including the direct activities of dock workers, when this workforce is organized independently of the stevedoring or terminal operator companies. The activities covered, include the organization and supervision of:**

- the loading/ discharging of cargo to/ from a ship;**
- the lashing/unlashing of cargo;**
- the reception/delivery and safekeeping of cargoes before shipment or after discharge.**

**The organization and supervision includes the arrangements for (1) engaging skilled workers (dockworkers), (2) using all necessary equipment for on board or shore use and appropriate storage space, whether by ownership, rental or otherwise, (3) the checking of parcels and markings, the weighing and measuring of cargo, and (4) the administrative duties and responsibilities related to the services.**

**7. "Maritime Freight Forwarding Services" means the activity of organizing and monitoring shipments on behalf of shippers through providing such services as the arrangement of actual transport and related services, consolidation, aggregation, packing of cargo, preparation of documentation and provision of business information.**

**8. “Maritime Agency Services” means activities in representing, within a given geographic area, the business interests of-one or more shipping lines or shipping companies for the following purposes:**

- marketing and sales of maritime transport and related activities from quotation to invoicing (cargo booking and canvassing)
- issuance of bills of lading on behalf of the companies;
- acquisition and resale of other necessary related services (settlement of disbursements and claims) preparation of documentation, and provision of business information;
- acting on behalf of the companies in organizing the call of the ship or taking control of cargoes;
- to make arrangement in order to get all necessary port services required by the foreign vessel during its stay in Indian Ports;
- to appoint a stevedoring company for cargo loading and unloading on behalf of its principal;
- to collect freight on behalf of the principal.

**9. “Custom Clearance Services” (alternatively Customs House Agents/Brokers) means activities consisting of carrying out on behalf of another party customs formalities concerning import export or through transport fo cargoes irrespective of whether this is the main or secondary activity of the services provider.**

**10. “Government Cargo” means cargo originating from other countries (import cargoes including crude oil), petroleum by products, coal, natural gas, raw materials for fertilizers, food-grains etc.) purchased by Indian Government Agencies/ Departments or based on loan/ credit agreements with other countries, as well as exports by Indian Government Agencies/ Departments including Government aid.**

**11. “Container Station and Depot Services” means activities consisting of storing containers, whether in port areas or inland, with a view to their stuffing/ stripping, repairs and making them available for shipments.**

**12. “Maintenance and Repairs of Vessels” means services such as repairs and management of vessels, mending, fixing or overhauling of a vessel, management of crew and marine insurance, provided on behalf of a maritime passenger or cargo transport business, or vessel leasing business.**

**13. “International rental of vessels with crew or on bare-boat charter basis” means rental and/ or leasing services of all types of sea-going vessels with crew or on bare-boat basis (whereafter the ship will be manned by Indian nationals only during the period of rental/ lease) for the purposes of international trade (like tankers, dry bulk cargo vessels, cargo and freight vessels etc).**



