

GOVERNMENT OF INDIA
MINISTRY OF COMMERCE & INDUSTRY
(DEPARTMENT OF COMMERCE)

LOK SABHA
UNSTARRED QUESTION NO. 3954
TO BE ANSWERED ON 17th JULY, 2019

TRADE WITH CHINA

3954. SHRI SU. THIRUNAVUKKARASAR:

Will the Minister of **COMMERCE & INDUSTRY** (वाणिज्य एवं उद्योग मंत्री) be pleased to state:

- the total number of companies awarded license to import goods/products from abroad, particularly from China during the last three years;
- whether the Union Government is aware of that some companies imported fake/counterfeit and substandard goods/ products from abroad in violation of the Indian Standards and Safety norms which totally affected the Indian economy and if so, the details thereof; and
- whether the Union Government would take strict action against those companies which imported such fake/ counterfeit and substandard goods/products from abroad, particularly from China, and if so, the details thereof?

ANSWER

वाणिज्य एवं उद्योग मंत्रालय में राज्य मंत्री (श्री हरदीप सिंह पुरी)

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY
(SHRI HARDEEP SINGH PURI)

(a): The Import Policy for most goods is “Free”. Out of more than 11,500 tariff lines only 407 tariff lines are “Restricted” for import. Licenses are issued for import of “Restricted” items. Import from China takes place under the same rules, regulations and guidelines as it takes place from any other country of the world, subject to other domestic laws. The details of the licenses issued for items categorised as ‘Restricted’ as per the import policies in the last three years and licenses where the importer has indicated the country of origin specifically China is as under:-

S.No.	Year of Import	Total number of licenses issued	Total number of licenses where the country of import is indicated as China
1.	2016-17	500	29
2.	2017-18	429	22
3.	2018-19	558	38
4.	2019-20 (June2019)	115	05
	Total	1602	94

Source DGFT

(b) to (c): The efforts to prevent import of fake /counterfeit/sub-standard goods is an ongoing process. Under the Foreign Trade Policy, legal provisions exist to protect the Indian consumers and producers, as imported goods are subject to the same domestic laws, rules, orders, regulations, technical specifications, environmental, and safety norms. The BIS standards applicable to domestic goods are also applicable to imported goods.

Central Board of Indirect taxes and Customs (CBIC) has taken a number of measures to prevent the import of counterfeit products in India, which are enumerated below:

i) Notification No.51/2010-Customs (N.T.) dated 30.6.2010 as amended vide notification No. 57/2018-Customs(N.T.) dated 22nd June, 2018 was issued to prohibit import of goods for sale or use in India, which are covered under specified legal provisions of the following statutes that regulate products with false trade mark, fraudulent or obvious imitation of design, false Geographical indication or product which infringe registered copyright etc.

- Trade Marks Act, 1999;
 - Copyright Act, 1957;
 - Designs Act, 2000;
 - Geographical Indications of Goods (Registration and Protection) Act, 1999;
- and

(ii) The Intellectual Property Rights (Imported Goods) Enforcement Rules 2007 notified vide notification No. 47/2007-Customs (N.T.) dated 8th May, 2007, as amended vide notification No. 56/2018-Customs (N.T.) dated 22nd June, 2018 lays down a detailed procedure to be followed by the right holders or their authorized representatives as also by the Customs for seeking suspension of release of suspect imported goods.

(iii) Indian Customs has put in place a web-based Intellectual Property Rights module viz. Automatic Recordation and Targeting for IPR Protection (ARTS), for effective administration of the legal measures. ARTS has been integrated with the Indian Customs Risk Management System for targeting import of counterfeit and pirated goods (<http://ipr.icegate.gov.in>).

The holders of Intellectual property rights registered and valid in India can record their Intellectual Property Rights with Customs, following above legal provisions for protection of their IPRs against imports of infringing goods.
