

<u>CORRIGENDUM – I</u> <u>DT 25-06-2024</u>

TENDER NOTIFICATION FOR

Tender for setting up Data Center at SCADA , Balaji Estate ,Kalkaji in BRPL

NIT NO: CMC/BR/24-25/RB/PR/MS/1193

Tender Date: 08.06.2024

BSES RAJDHANI POWER LTD (BRPL) Corporate Identification Number: U74899DL2001PLC111527 Telephone Number: +91 11 3009 9999 Fax Number: +91 11 2641 9833 Website: www.bsesdelhi.com

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Query Type Technical/ Commercial	Page No	Clause No		BRPL NIT Clause					Corrigendum - I				
Commercial	16	Payment	Payme	ent terms					New Paymen				
		terms	S. No	Milestones		% of P	ayment		terms and Advance bank				
			1	Completion of Civil works		1	5%		guarantee				
			2	Successful Installation of PAC and electric	c work	2	0%		clause as				
			3	Rack installation with Cable installed and old data center connected	1	2	0%		mentioned below				
			4	Integration of DCMS system including CCTV, Biometric, NOVAC, RACK	g	1	5%						
			5	Decommissioning of Hardware/ RACK from existing Data Center		1	5%						
			6	Completion of SOP'S/ documentation, training and hand-ove	er	1	5%						
				Total Amount with GST		10	00%						
commercial 19	19 Liquidated Damages		19	•		•	Penalt	y will be deducted for downtime of the syst	tem as b	below			New Penalty
		Damages	Damages				Damayes	Damages	S. No	Milestones	Time	line	Liable to pay by bidder
				1	Completion of Civil works	by W	eek 4		_				
							2	Successful Installation of PAC and electric work	by We		7% of the total valu	-	
							3	Rack installation with Cable installed and old data center connected	By W	eek 8			
						4	Integration of DCMS system including CCTV, Biometric, NOVAC, RACK	By We	eek12	5% of the total	е		
						5	Completion of SOP'S/documentation, training and hand-over	By We	eek14	Value			
			6	Decommissioning of Hardware/RACK from existing Data Center									

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BSES				
Commercial	43	7	10% of total order value valid for 60 months after commissioning or 66 months from the last date of dispatch, whichever is earlier plus 3 months towards claim period.	10% of total order value valid for 12 months after commissioning or 15 months from the last date of dispatch, whichever is earlier plus 3 months towards claim period.
General Clause		Limitation of liabilities and consequential Damages:	RFQ document does not include limitation of liabilities clause. It is required to include limitation of liabilities clause with capping to the contract value and exclusion of consequential damages.	New Clause as mentioned below
General Clause	33 of 78	Section V: RFQ - Clause 19	Indemnity	New Clause as mentioned below
General Clause			CEA Compliance	Addition of CEA Compliance
COMMERCIAL TERMS AND CONDITIONS – SUPPLY	43	Appendix I	As per NIT	Revised Format as mentioned below
Performance Certificate	48	Appendix VI	As per NIT	Revised Format as mentioned below

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RAJDHANI POWER LIMITED							
Manufacturer Authorization form	52	Appendix X	As per NIT	Revised format as mentioned below			
Bid Submission	7	Bid Submission	Last date of receipt of bid documents : 28.06.2024, 10.00 HRS	Last date of receipt of bid documents : 05.07.2024, 15.00 HRS			
and Opening of Technical Bids	7	Technical Bid Opening	Date & time of opening of tender – Part A: 28.06.2024, 11.30 HRS	Date & time of opening of tender – Part A: 05.07.2024, 15.30 HRS			

Note : For pre-bid replies, please refer another sheet enclosed on website.

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Payment terms linked with Project activity - Milestones	Percentage	Period
Advance against PO on submission of Advance Bank Guarantee	20%	On submission of Advance Bank Guarantee
Design Layout and SLD Drawings, Electrical Work , Civil Work ,(90%) Commissioning of UPS power source , Installation of Racks with Old DC connectivity ISP Based Parallel connectivity and raceway installation PAC installation and commissioning	30%	Week 1-12
Rest of the BoQ Services IBMS/DCIM integration with all proposed data center services like CCTV, Biometers /Fire management system etc. and Civil Works(remaining 10%)	20%	week 13-14
On successful completion and handing over of project.	30%	week 14-16

Advance Bank Guarantee

20% advance against submission of BG of equivalent amount valid up to completion period/ handing over, whichever is earlier plus 3 months claim period. In case of delay, the BG shall be extended suitably.

Indemnification

Notwithstanding contrary to anything contained in this RFQ, Supplier shall at his costs and risks make good any loss or damage to the property of the Purchaser and/or the other Supplier engaged by the Purchaser and/or the employees of the Purchaser and/or employees of the other Supplier engaged by the Purchaser whatsoever arising out of the negligence of the Supplier while performing the obligations under this contract.

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Limitation of Liability

,Whether arising in contract, tort (including negligence whether active or passive), warranty, strict liability or otherwise, the liability of the Supplier, its agents, employees, subcontractors and suppliers with respect to any and all claims arising out of the performance or nonperformance of obligations under the contract, whether arising in contract, tort (including negligence whether active or passive, warranty, strict liability or otherwise, shall not exceed in the aggregate the payment received and shall in no event include damages for loss of profit, loss of revenues, loss of power, loss of use, costs of capital, downtime costs, delays and claims of customers of purchaser or costs of replacement of power or loss of anticipated savings, increased costs of operation or for any special, indirect or consequential damage, loss of any nature whatsoever whether arising in contract, tort (including negligence whether active or passive), warranty, strict liability or otherwise.

No such claim shall be asserted against the Supplier, its agents, employees, subcontractors or suppliers, unless the injury, loss or damage giving rise to the claim is sustained prior to the expiration of the period of warranty specified in the Contract and no suit or action thereon shall be instituted.

This LIMITATION OF LIABILITY Article shall prevail over any conflicting or inconsistent provisions contained in any of the documents comprising the Contract, except to the extent such conflicting or inconsistent provisions further restrict the Supplier's liability.

The Supplier does not accept any liability for defects or depreciation caused by damage due to lightning, rain, neglect, misuse or other abnormal conditions directly to circumstances beyond our control.

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Liquidated Damages

If supply of items / equipment is delayed beyond the supply schedule as stipulated in LOI/PO, then the Supplier shall be liable to pay the Purchaser for delay as mentioned below:

Penalty will be deducted for downtime of the system as below

Payment terms linked with Project activity	Period	Penalty (Week Wise)	Activity based penalty clause
Design Layout and SLD Drawings, Electrical Work , Civil Work ,(90%) Commissioning of UPS power source , Installation of Racks with Old DC connectivity ISP Based Parallel connectivity and raceway installation PAC installation and commissioning	After 12 Week	2% per week maximum upto 16 week	Total Value - 6%
Rest of the BoQ Services IBMS/DCIM integration with all proposed data center services like CCTV, Biometers /Fire management system etc. and Civil Works(remaining 10%) On successful completion and handing over of project.	After 16 Week	2% of per week maximum upto 18 week	Total Value – 4%

The Purchaser may, without prejudice to any method of recovery, deduct the amount for such damages from any amount due or which may become due to the Supplier or from the Performance Bond or file a claim against the supplier.

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Appendix- I

COMMERCIAL TERMS AND CONDITIONS – SUPPLY

SI No	Item Description	AS PER BRPL	BIDDER'S CONFIRMATION
1	Validity	120 days from the due date of submission or amended due date of submission	
2	Price basis	 a) Firm, FOR Delhi store basis. Prices shall be inclusive of GST, freight up to Delhi stores. b) Unloading at stores / site - in vendor's scope c) Transit insurance in BRPL scope 	
3	Payment terms	As mentioned in Clause 8.0 TERMS OF PAYMENT AND BILLING	
4	Delivery time	As per BRPL Requirement	
5	Defect Liability period	1 Year onsite Warranty and support with 24x7 as per BOQ and mentioned in clause 13.0 WARRANTY/DEFECTS LIABILITY PERIOD	
6	Penalty for delay	As mentioned in Clause 20: Liquidated damages	
7	Advance Bank Guarantee	20% advance against submission of BG of equivalent amount valid up to completion period/ handing over, whichever is earlier plus 3 months claim period. In case of delay, the BG shall be extended suitably.	

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8	Performance Bank Guarantee	10% of total order value valid for 60 months after commissioning or 66 months from the last date of dispatch, whichever is earlier plus 3 months towards claim period.	
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APPENDIX - VI

PERFORMANCE CERTIFICATE

To be provided on letter head of the issuing company

This is to certify that M/s _____ has successful implemented the project of setting up of Data Center.

The Solution was implemented on _____(Date of Implementation) and is running successfully since then.

The services provided by the M/s ______ are satisfactory.

The certificate has been issued on the specific request of the company.

Date: _____ Place: _____ Signature of Authorized Signatory Name of Signatory: Designation: Seal of Company

Note: Separate annexure for implementation of data center needs to be submitted with technical evaluation.

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<u>APPENDIX X</u> MANUFACTURER'S (OEM) AUTHORIZATION FORM (MAF)

(To be provided on the Letter head of each of the OEM duly signed & stamped by their Authorized Signatory.)

We hereby submit the following:-

- 1. We, M/s ______ are the OEM of ______(Storage/Server /SAN Switch, being offered to through M/s ______(Bidder"s Name), who is our authorized Partner/representative in India for supply/ installation/commissioning of this Product/Solution/Hardware.
- 2. We undertake that the hardware of _____(OEM Name) proposed in this tender is compatible with our Server/storage (Valid for Appliance/ Storage OEM only).
- 3. We undertake that the Server /storage of _____(OEM Name) proposed in this tender is compatible with our server/ storage(Valid for server and storage OEM only).
- 4. We agree to provide services as per the scope of work and technical specifications of this RFP through our partner M/s
- 5. In case the bidder i.e. M/s ______ is not able to perform obligations as per contract during contract period, we will perform the said obligations.
- 6. We undertake to continue to extend services as per given scope of work of RFP during contract period through mutually agreed third party/any other authorized Partner of ours in case:
 - a) Bidder M/s _____, ceases to exist from the ICT Industry

OR

b) Bidder M/s ______stops services or support to BRPL

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c)There is dispute between bidder M/s _____, and us.

OR

d) Bidder M/s _____, terminates contract due any reasons with us.

Note: Separate annexure for implementation of data center needs to be submitted with technical evaluation.

Date:_____ Place:_____

Yours faithfully

Signature of Authorized Signatory Name of Signatory: Designation: Seal of Company

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No. 14/02/2021-UR&SI-II-Part(1)(E-258136) Government of India Ministry of Power

Shram Shakti Bhawan, Rafi Marg New Delhi, Dated: 10th January, 2024

То

The Chairperson, Central Electricity Authority, Seva Bhavan, R.K. Puram, New Delhi.

Subject: Mandatory Testing and Certification of Telecom Equipment (MTCTE).

Sir,

With reference to the subject cited above, I am directed to say that the Department of Telecom vide letter no. 6-6/2021-TC/TEC dated 17.10.2023 has requested to ensure that only MTCTE certified Telecom and Networking products are procured and connected in the Indian Telecom Network as mandated by Indian Telegraph (Amendment) Rules, 2017. It was also requested that regulatory requirement of obtaining MTCTE certification by OEMs/ Importers before sale of notified Telecom & Networking products may also be communicated to Manufacturers/ Sellers, who are supplying / selling such Telecom & Networking products.

2. In this regard, it was also informed that MTCTE certificate for 12 products being connected to Telecom Network/ used for data transfer (such as Router, LAN Switch, Smart Electricity Meters etc.) will become mandatory from 01.04.2024 and for remaining 32 products from 01.01.2024 (list enclosed).

3. In view of the above, it is requested to take all necessary measures in this regard so that the requirement for MTCTE certification can be made mandatory for OEMs/ Importers as per the stipulated timelines. It is further requested to submit a detailed action plan in this regard to this Ministry latest by 12.01.2024.

5. This is issued with the approval of Competent Authority.

Yours faithfully

Encl.: As above.

Copy to:

(Bimlesh Pawar) Under Secretary (UR&SI-II)

- 1. CMD, REC
- 2. CMD, PFC

Also copy to: PPS to Secretary (Power)/ PSO to Joint Secretary (Distribution)/ PPS to Dy. Secretary (UR&SI) डॉ. नीरज मित्तल, भा.प्र.से. सचिव

DR. NEERAJ MITTAL, IAS Secretary



भारत सरकार संचार मंत्रालय दूरसंचार विभाग

GOVERNMENT OF INDIA MINISTRY OF COMMUNICATIONS DEPARTMENT OF TELECOMMUNICATIONS



DO. No. 6-6/2021-TC/TEC 17th October, 2023

Dear Cankaj

This letter pertains to procurement of telecom equipment (that may be procured for projects such as Bharatnet and local state telecom/ IT projects) by the State Governments that need to be MTCTE certified. In this regard, Department of Telecommunications (DoT) has notified the 'Indian Telegraph (Amendment) Rules, 2017' vide Gazette Notification No G.S.R. 1131(E) dated 5th September 2017 on 'Testing and Certification of Telegraph.' The said notification mandates that any telegraph (telecom) equipment which is used or capable of being used with Indian telecom network, shall have to undergo prior Mandatory Testing & Certification in respect of parameters as determined by the telegraph authority from time to time. The above rules have come into force on 1st October 2018. (Copy of Gazette Notification dated 5th September 2017 is available on DoT website <u>https://dot.gov.in/act-rules.</u>

The objective of said mandatory testing and certification is to ensure:

- That any Telecom Equipment does not degrade performance of existing network to which it is connected;
- (ii) Safety of the end-users;
- (iii) Protection of users and general public by ensuring that radio frequency emissions from equipment do not exceed prescribed standards;
- (iv) That telecom equipment complies with the relevant national and international regulatory standards and requirements and
- (v) Security of Telecom Network/ Systems.

3. In pursuance to above Rules, Telecommunication Engineering Centre (TEC), the technical body under Department of Telecommunications (DoT) is administrating the implementation of Mandatory Testing & Certification of Telecom Equipment (MTCTE) Scheme. The specific Telecom & Networking product covered under MTCTE scheme is notified by TEC from time to time on MTCTE website (<u>https://www.mtcte.tec.gov.in</u>) indicating certification enforcement date.

 As on date, MTCTE certificate is mandatory for Telecom & Networking product such as Cordless/CLIP/Landline Phone, PABX, FTTH OLT/ONT/ ONU used for broadband services etc. prior to their sale/use in India (Annexure-A).

Contd 2/-

कमरा नं. 210, संचार भवन, 20, अशोका रोड्, नई दिल्ली-110001 / Room No. 210, Sanchar Bhawan, 20, Ashoka Road, New Delhi - 110001 Ph.: +91-11-23719898, Fax : +91-11-23711514, E-mail : secy-telecom@gov.in Further, from 1st January 2024, MTCTE certificate for more products (such as Router, LAN Switch, wifi Access Modems, IoT gateway, Tracking Device, Smart electricity meter, End Point Device for Environmental Monitoring, Optical Fibre, Optical Fibre Cable, Walkie-talkie etc.) will become mandatory as being connected to Telecom network/used for data transfer. The complete list of such notified Telecom product is available on MTCTE website.

Presently, the MTCTE certificate has been issued to more than 3,000 Telecom & Networking product models. The details of MTCTE certified products are available on website (<u>https://www.mtcte.tec.pov.in</u> > certified equipment).

5. In view of the above, it is requested to kindly inform about Mandatory Testing & Certification of notified Telecom equipment to IT Department and other concerned departments/Autonomous bodies/attached offices etc., so as to ensure that only MTCTE certified Telecom & Networking products are procured and connected in the Indian Telecom Network as mandated by Indian Telegraph (Amendment) Rules, 2017. Further, the regulatory requirement of obtaining MTCTE certification by OEMs/Importers before sale of notified Telecom & Networking products may also be communicated to Manufacturers/Sellers, who are supplying/selling such Telecom & Networking products.

6. In case of any further details or clarification in this regard, Director (TC-1), TEC, New Delhi may be contacted on e-mail id: dirta.tec@gov.in.

Yours sincerely

(Neeraj Mittal)

Encl: as above

Shri Pankaj Agarwal

Secretary Ministry of Power Room No.205, Shramshakti Bhawan Rafi Marg New Delhi - 110 001. :02;

Annexure-A

S.N	Essential Requirement/ Product Name	Main Product Variants	MTCTE Phase	Mandatory date of certification of product underMTCTE
1.	2- Wire Telephone Equipment	2-Line Feature Phone; CLIP (Calling Line Identification Presentation) Phone; Electronic Telephone Instrument; Executive Telephone Systems; Key Telephone Systems; Key Telephone Systems with proprietary interface;	Phase-1	1st October, 2019
2,	G3 Fax Machine	FAX machine with & without handset	Phase-1	Ist October, 2019
3.	Modem	V.90 or V.92 or V.21 to V.34 Modem	Phase-1	1st October, 2019
4.	Cordless Telephone	Cordless Telephone	Phase-1	1st October, 2019
5,	ISDN (Integrated Services Digital Network) Customer Premises Equipment	ISDN Gateway; ISDN Terminal;	Phase-1	1st October, 2019
6.	Private Automatic Branch Exchange	Private Automatic Branch Exchange	Phase-1	1st October, 2019
7.	PON (Passive Optical Network) Family of Broadband Equipment	PON OLT (Optical Line Terminal); PON ONT (Optical Network Terminal); PON ONU (Optical Network Unit);	Phase-2	1st October, 2020
8.	Feedback Device	Feedback Device	Phase-2	1st October, 2020
9.	Transmission Terminal Equipment	Multiplexing Equipment; SDH (Synchronous Digital Hierarchy) Equipment	Phase-2	1st October, 2020

List of Notified Telecom & Networking Products under Mandatory Testing & Certification of Telecom Equipment (MTCTE)

1.16

1.5

1 a.

Note 1: The complete list/details of MTCTE notified products with enforcement date are available on website https://www.mtcte.tec.gov.in

Note 2: The details of MTCTE certified products (make & model) are available on website (https://www.mtcte.tec.gov.in > certified equipment)

Telecommunication Engineering Centre (Department of Telecommunications) Khurshid Lal Bhawan, Janpath, New Delhi - 110 001 <u>https://www.tec.gov.in/</u>

No. 5-2/2021-TC/TEC/185

Dated: 27/12/2023

Amendment Notification

Subject: Extension of mandatory certification date for 12 products (ERs) notified under phase-III & IV of MTCTE by three months i.e. from 01.01.2024 to 01.04.2024 -reg.

Ref: No. 5-2/2021-TC/TEC/131 dated 23/06/2023 & no. 5-2/2021-TC/TEC/172 dated 27/09/2023

In partial modification to this office Notification no. 5-2/2021-TC/TEC/131 dated 23/06/2023 & no. 5-2/2021-TC/TEC/172 dated 27/09/2023, w.r.t. the testing and certification of telecom & networking equipment notified under Phase-III & Phase-IV of MTCTE regime, the following amendments are hereby notified with immediate effect as mentioned below:

- a. Extension of date of mandatory certification of 12 products (ERs) out of 44 products notified under MTCTE phase-III and IV by three months i.e. from 01.01.2024 to 01.04.2024. The list of 12 products is placed at Annexure-I.
 Mandatory date of certification for remaining 32 products (ERs) shall remain unchanged i.e. 01.01.2024. The list of 32 products is placed at Annexure-II.
- b. Extension of last date of acceptance of test reports issued by labs accredited by International Laboratory Accreditation Cooperation (ILAC) signatories from nonborder sharing countries by three months for technical parameters only i.e. from 31.12.2023 to 31.03.2024 for the 08 products (ERs) mentioned in Annexure-III.

This issues with the approval of Competent Authority.

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अवधेश सिंह/Avadhesh Singh निदेशक (टी°सी°-I)/Director (TC-I) Email-<u>dirta.tec@gov.in</u>

Copy to (through email):

- i. PS to Hon' ble MoC, DOT, New Delhi
- ii. PS to Hon'ble MoSC, DOT, New Delhi
- iii. PPS to Secretary (T), DOT, New Delhi
- iv. PPS to Member(S)/ Member(T)/ Member(F)/ DG(Telecom), DOT, New Delhi
- v. Advisor, TEC New Delhi / Sr. DDG, NCCS Bangalore/ CEO, C-DOT
- vi. JS (Customs), CBIC

vii. AD (IT)/AD (TC), TEC for uploading on TEC/MTCTE website viii.Office copy

Annexure-I

List of 12 products (ERs) under phase-III & IV of MTCTE with mandatory certification date as 01.04.2024

S No	ER/Product	Notified in Phase
1.	Base Station for cellular network	Phase-III
2.	Repeater for Cellular Network	Phase-III
3.	Smart Electricity Meter	Phase-III
4.	SIM	Phase-IV
5.	HF Radio	Phase-IV
6.	Mobile Radio Trunking System	Phase-IV
7.	VHF UHF Radio System Equipment	Phase-IV
8.	PTP PMP Microwave Fixed Radio System	Phase-IV
9.	LAN Switch	Phase-IV
10.	Router	Phase-IV
11.	IP Security Equipment	Phase-IV
12.	Satellite Communication Equipment	Phase-IV

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List of 32 products (ERs) under phase-III & IV of MTCTE with mandatory certification date as 01.01.2024

S.No	ER/Product	Notified in
1.		Phase
2.	Compact Cellular Network	Phase-III
3.	Equipments Operating in 2.4 GHz and 5 GHz Band	Phase-III
	IoT Gateway	Phase-III
4.	Tracking Device	Phase-III
5.	End Point Device for Environmental Monitoring	Phase-III
6. 7.	Radio Broadcast Receiver RBR	Phase-IV
<i>7</i> . 8 .	Optical Fibre-Single Mode	Phase-IV
о. 9.	Optical Fibre Cable	Phase-IV
· ·	DSL Equipments	Phase-IV
10.	Signalling Gateway	Phase-IV
11.	Session Border Controller	Phase-IV
12.	Softswitch	Phase-IV
13.	Media Gateway	Phase-IV
14.	Precision Timing Protocol Grand Master Equipment	Phase-IV
15.	Infiniband Switch	Phase-IV
16.	IP Multimedia Conferencing Equipment	Phase-IV
17.	Conferencing Equipment	Phase-IV
18.	Transmission Terminal Equipment-2	Phase-IV
	(DWDM, Digital Cross Connect)	
19.	Mobility Management Entity (MME)	Phase-IV
20.	Serving GPRS Support Node (SGSN)/Gateway GPRS Suppor	Phase-IV
	Node (GGSN)	
21.	Base Station Controller (BSC)/Radio Network Controller	Phase-IV
	(RNC)	
22.	Cell Broadcast Centre (CBC)	Phase-IV
23.	Gateway Mobile Location Centre (GMLC)	Phase-IV
24.	Home Location Register (HLR)/Authentication	Phase-IV
	Centre(AUC)/Home Subscriber Server (HSS)	

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25.	Mobile Switching Centre (MSC)/MSC-Server (MSC-S)/	Phase-IV
	Gateway MSC (GMSC) / Gateway MSC- Server (GMSC-S)	
	including Visitor Location Register (VLR)	
26.	OTA and DM or FOTA	Phase-IV
27.	Service Control Point (SCP)	Phase-IV
28.	Operation Maintenance Support (OMC) / Element	Phase-IV
	Management System (EMS) / Network Management System	
	(NMS) / Operation Support System (OSS)	
29.	Serving Gateway (S-GW) / Packet Gateway (P-GW)	Phase-IV
30.	Short Message Service Centre (SMSC)	Phase-IV
31.	Serving Mobile Location Centre (SMLC) or eSMLC	Phase-IV
32.	Equipment Identity Register (EIR)	Phase-IV

27/12/1023

List of 08 products (ERs) under phase-III & IV of MTCTE for acceptance of test reports in respect of 'Technical Parameter' up to 31.03.2024 from labs accredited by ILAC

S. No	ER/Product	Notified in Phase
1.	Base Station for cellular network	Phase-Ill
2.	Repeater for Cellular Network	Phase-Ill
3.	Compact Cellular Network	Phase-1 II
4.	SIM	Phase-IV

HF Radio

VHF UHF Radio System Equipment

Radio Broadcast Receiver RBR

Satellite Communication Equipment

5.

6.

7.

8.

signatories from non- border sharing countries

Note: - As on the date of submission of test reports, the validity of test reports/results issued by foreign labs accredited by ILAC signatories from nonborder sharing countries for technical parameters only shall be up to two years in respect of the above products (ERs).

27/12/102.

Phase-IV

Phase-IV

Phase-IV

Phase-IV