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Ref.No.MAIT/PY/2609

December 15, 2022

Smt. Asha Nangia  
Sr Director  
Ministry of Electronics & IT

**Subject: Request for Stakeholder consultation to discuss the notifying of Safety Standard changeover, Essential Requirements for EMI/EMC, and Security requirements for mobile phone devices, etc under CRO**

**Ref: MAIT letter No MAIT/PY/2597 dated 25-11-2022**

Respected Madam,

***Greetings from MAIT!***

**We are writing to draw your attention to** the fragile prevailing world geopolitical condition which has created circumstances where world economies are either in recession or are staring at it in the near future. Even large economies are contracting and there is no doubt that global growth and even India's growth has slowed. Post-Covid recovery has been slower, and India is one of the rare economic bright spots that exist in the world today. MAIT feels that in these challenging times, it is necessary that disruptive changes in policy that affect time to market, or general trade are not introduced as they tend to accentuate the already grim macro-economic outlook.

We draw your attention to the three areas that were discussed during the meeting on 28<sup>th</sup> Nov 2022

→ **Introduction of IS 62638 Part I:2018 “Audio/Video, Information and Communication Technology Equipment Part 1 Safety Requirements (First Revision), for products covered under CRO**

We thank you for appreciating the concerns of the Industry and agreeing to our suggestion on implementing this after three years of notification of the standard. To reiterate, this major change in compliance requirements will have major implications for companies in India. These are enumerated below:

**Implication:**

Besides the additional compliance burden on the Industry w.r.t. IS 62368 Part-I: 2018, the change will result in:

- Higher cost due to the necessity of additional samples.
- Additional testing costs across models.
- Increased Time to Market.
- Approximately **More than 10k+ BIS registrations** from MAIT members require changeover to IS 62368.
- It will cost **more than \$15M** to changeover products to IS 62368.

## Suggestions:

- **Concurrent running of IS 13252-1/IS 616 and IS 62368-1:** It should be for at least 3 years from the date of notification or acceptance of Edition 4 whichever is later provided one model per registration number is tested.
- **Testing of One Model per Registration:** MAIT requests to test only one model per registration number with the new safety standard. It will be implied that all models are switched to the new standard based on the undertaking submitted by the applicant. BIS to issue a new R. Number.
- **For New & Inclusion Applications:** If a manufacturer adds model inclusion to existing R.no. tested with new Safety standards, complete R.no. is considered to be changed to new safety standards and New R.no. will be granted validity of the new R.no. to be same as the old R.no.
- **Expedite application processing timelines:** Based on bulk load on Industry to changeover, BIS should process (grant) applications within 1 week of submission. Deemed approval after 1 week.
- **Reduced Documentation from Factory and AIR:** BIS to process (Grant) changeover applications with undertaking alone from AIR. No other documents from factory if changeover is applied for registered factory.
- **No MeitY NOC requirement for changeover cases:** Since same models are already certified and factory is already registered, grant time can be reduced without following existing step.
- **Allow Parallel Testing:** Allow adapters, chargers, and power banks to test in parallel with host product in the scope of CRO eg Laptop chargers can be tested and certified in parallel to laptops and added to host product CCL later when certified to new safety standard. To meet changeover timelines sequential testing of accessories/inbox adapters is not feasible & these products (adapters/power banks) are already certified to IS 13252-1 and registered with BIS.
- **Green Channel Criteria:** We appreciate the successes of the CRS regime which has been serving consumers well for the past 10+ years. The Industry follows this regime solemnly, in this context, we suggest that MeitY should, in consultation with BIS introduce some incentivisation for companies which have excellent past records in compliance. This incentivisation could be by way of a “**Green Channel Criteria**” wherein products of companies which have demonstrated consistent safe usage and zero failures could be given this Green Channel treatment for testing obligations.

Besides, the suggestion given above, MAIT requests clarifications on the following issues:-

## Technical Queries:

From a Technical perspective, India/BIS is adopting” from IS 13252:2010/2012/2015 and IS 616 (Equivalent IEC 60950-1 and IEC 60065 Std.) to IEC 62368-1:202X, 4th Ed., considering BIS uses the “4th Ed. as it is”:

- What is their interpretation of Clause 4.1 for acceptance of the components (considering the cost for additional testing and samples)?
- What will be BIS equivalent IS Std. to IEC 62368-3 regarding Requirements for USB or Ethernet (PoE) (where 4th Ed. is referring to IEC 62368-3)?
- As moving forward there will be a “replacement” for Clause 5 (or whole) of IEC 62368-3 (IEC 63155/63156), what will be BIS interpretation?

#### **Non-Technical Observations:**

Since there is a high probability of the 4<sup>th</sup> edition of IS 16368-1; 202x to be launched in July 2023 (as indicated by BIS in the physical meeting held on 1<sup>st</sup> December 2022), MAIT has some observations w.r.t. edition and adoption timelines listed as below:-

1. Adoption of the IEC 62368-1:202x 4th Ed. will be better than 3rd Edition considering the cost (testing, certification, labelling, etc.).
  - a. A transition period of 3 Years (or more) for IEC 62368-1:202x 4th Ed. Should be given due to the following reasons:- It will benefit the “Old” models nearing End of Life.
  - b. It will help in better understanding of the impact of IEC 62368-1:202x 4th Ed. on the products covered under CRS.
  - c. “IEC 62368-1:202x 4th Ed. is the latest “state of the art” Safety standard version with the EU and UK.
  - d. Since, this will be the first time India exposure to Hazard Based Safety Engineering Standards (HBSE) type standard; National Technical Reports Library (NTRLs) has not yet issued safety reports for IEC 62368-1 4th, edition except for few TEC products.

Hence, **we need to be sure that India adopts the standard with enough transition time.**

#### **→ Need for the introduction of EMI/ EMC requirements for products covered under CRS**

BIS is actively formulating many standards, however, not all of them have been introduced/enforced compulsorily unless there is a cause that calls for their introduction. In addition to the Safety Standards, the implication of EMI/EMC standards on the product covered under CRS causes difficulty to the Industry, some of the MAITs’ views are as follows:

#### **Implication:**

This additional compliance can increase the “**Time to Market**”. There will also be a requirement for “**Additional Samples**” to test which will result in additional costs for the Industry. These additional costs will ultimately get loaded on to the product cost which will reduce affordability at large.

## Suggestion:

- **Equivalent IS standard:** There should be an equivalent IS standards. BIS should consider relevant IS standards for the functionality and those IS standards should aligned to the latest IEC standards.
- **Brand based Registration:** MAIT request to certify the product in Brand based Registration instead of factory-based Registration i.e. one model for a brand is registered once. Brand can give undertaking because EMI/EMC is design level compliance have minimal dependency on production process.
- **Series based approval eg CRS series guidelines:** It make sense and justify to test only worst case model (max configured) out of the same product series. this will help to reduce duplicate testing and improve certification lead time. Precedence exists in other certification schemes in India- TEC MTCTE Pizza Box model.
- **No interdependency to BIS CRS certification even for components:** Both CRS safety and EMI/EMC testing should be able to go in parallel, no regulator across the globe have any such dependencies, and technically it make no sense to have any dependency between these two.
- **No changes in the current BIS Standard mark, no new marking for EMI/EMC (eg WPC ETA Certification):** It is challenging to have two certifications marks for India alone, already BIS logo is quite big and occupies lot of space on the product artwork. Globally one country follow one certification mark for most cases. WPC requirements for ETA for does not have such requirements.
- **Applicability for new products/models only from the effective date of regulation:** Existing products/models are already available in the market and no consumer complaints or concerns have been reported for EMI/EMC.
- **Phase wise implementation (minimum 1 year) for phase-I:** This is an entirely new test regime and require to undergo dry runs in terms of validating lab eco system, handling industry load for testing etc. Compared to Safety - EMI/EMC is more time consuming and number of labs (fully capable including EMC chambers) are not sufficient to handle entire industry.
  - Out of two categories- Mobile phones and Laptops/Notebook/Tablets, MeitY is requested to go for one category only for Phase 1 and the second category may be added in subsequent phases. Reduce Burden on the industry as OEMs have to carry out both Safety as well as EMC testing.
  - MAIT requests MeitY to start with a small product category in the first phase and remove of large product categories like Printers/Notebooks/laptops/tablets, the introduction to small products like headsets/speaker/keyboards/etc. will give lab time to get the infrastructure ready and the impact would also be less, also this should be introduced with IEC 62368 transition to avoid duplicate testing and multiple sample cost, shipping cost, labelling requirement, etc.
- **Recognise ILAC Test Reports:** MAIT requesting to recognise/accept test reports from ILAC accredited laboratories globally. The requirements of the India EMC and Safety standards are closely aligned to international standards. The tests being identical undertaking testing multiple times utilising different labs can be avoided by

including any national variations, thereby reducing cost (which otherwise will be passed on to end users) and time to market.

### **Observations pertaining to Microwave Ovens, IH Cooking Heaters, and Rice Cookers:**

Industry has observed that there are certain anomalies w.r.t. Standards of Microwave Ovens, IH Cooking Heaters, and Rice Cookers in the Presentation made by MeitY on EMI/EMC dated November 28, 2022, which are enlisted as below:-

- Applicable standards “for emission” for microwave ovens are “CISPR 11”, not CISPR 14-1.
- IH cooking heaters and rice cookers are covered by CISPR 14-1 and CISPR 14-2, but microwave ovens are covered by CISPR 11 and CISPR 14-2.

MAIT requests that the standards be in line with the industry suggestions as mentioned above in the final document when issued.

### **→ Mobile device security standards [IS 17737(Part 3): 2021- Mobile Device Security Part 3 Security Levels]**

Since, MeitY is in the process of drafting of the “Personal Data Protection Bill-2022” where the Security of the Data is an inherent part of the proposed Bill. Parallely, BIS has also standardized the security of the data present in mobile phones under CRO/ CRS in IS 17737 (Part-III):2021. Hence, MAIT suggests that **Notification of Security testing should be deferred till New safety changeover and EMC/EMI is complete. MAIT Suggested timeline is Mid- 2025 to implement.**

Besides the specific suggestions made above, MAIT also requests you to consider the below-listed broad suggestions on CRS Scheme to be considered by MeitY:-

#### **1. Need for Deemed approval:**

In view of the prolonged excessive time being taken by MeitY in providing NoC and enhanced testing times, the Industry suggests that there should be a system of “**Deemed Approvals**” for companies with good compliance ratings. Appreciating the companies will also reflect positively on the Ease of Doing Business climate in India.

#### **2. Aspect of Light touch regulations**

We appreciate the Hon’ble Minister Ashwini Vaishnav Ji on the Light touch regulation on the Electronic Industry because the growth of the Electronics Industry from a mere \$8.3 Bn in 2014 to \$70.7 Bn in 2022 has been on the back of light touch regulations. We request you to kindly define “Green Channel Counter” & “Deemed Approvals” so that Industry can enthusiastically work with Government.

#### **3. Enabling Ease of Doing Business**

Ease of Doing business has been at the forefront of Policy making and implementation at all levels in the Ministry. In this context, when compliances are being reduced/rationalized, introducing fresh compliances would adversely affect “Time to Market” and “Costs” both these factors would adversely affect the tempo of growth that is already under intense pressure from global factors beyond India’s locus of control. We would like to highlight that these new requirements will bring an onerous burden on OEMs in meeting multiple

compliances. If these are actually brought into implementation mode, it would be virtually impossible for OEMs to launch new products in India in sync with global launches. At a time when India is going shoulder to shoulder with major economies, these new requirements will push the industry into a near impossible situation and also deprive Indian consumers of availing new products, new technologies, and features and functionalities that are introduced in the developed world.

### **Summary of Asks**

Apropos, the requests from the industry are summarised below:

1. Relook into the rationale of introducing new requirements which impact EoDB in the country and the impact on the launch of new products/models. The new testing and certifications will push the growing industry to bend backward to meet the ever-growing new requirements from multiple ministries/departments/agencies.
2. Request for extensive consultation on the Security standards of BIS.
3. Safety, EMI/EMC & Security applicability should be only for the new models.
4. Define "Green Channel Counter" for the solemn follower of BIS CRS.
5. Deemed Approvals for identified best rating companies.

We look forward to your positive consideration of the issues that have been highlighted.

Warm regards,



Col AA Jafri, Retd  
Director General

CC: Shri Alkesh Kumar Sharma, IAS, Secretary, MeitY

CC: Shri Pramod Kumar Tiwari, IAS, Director General, BIS