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May 25, 2023

Shri Alkesh Kumar Sharma, IAS
Secretary
Ministry of Electronics & Information Technology (MeitY)

Subject: Request for Industry Consultation & Extension on Legal Metrology (Packaged Commodities) Amendment Rules, 2021.

Respected Sir,

Greetings from MAIT!

We are writing to you to request for your urgent attention to our concerns regarding the proposed amendments to Legal Metrology (Packaged Commodities) Amendment Rules, 2021 released in November 2021 that seek to mandate the declaration of month and year of manufacture on the packaged commodities, removing the existing flexibility to provide the month and year of pre-packing and import. This amendment will come into force on June 01, 2023.

In this regard, the Department of Consumer Affairs (DoCA) had called an industry meeting on 24th May 2023, under the chairmanship of Secretary, DoCA. Based on the discussions during the meeting, we understand that DoCA is inclined to mandate Month and Year of Manufacture on the package commodities, taking away the existing flexibility. However, we would like to draw your attention to our concerns regarding the feasibility of this amendment for the electronics industry.

Sir, while we appreciate the intent of the amendment, which may be relevant for a few sectors which provide perishable goods to consumers, however, for the electronics industry this amendment is very onerous and in some cases impossible to comply with. In view of the complexities of global supply chains including logistics, ability to compete efficiently in the market, compliance with this will be a major impediment to ease of doing business. Detailed reasons for this are mentioned in our representation dated January 19, 2023 regarding the same issue. That MeitY took cognizance of and has supported the industry by writing to DoCA.

The date of manufacturing is being printed on the label and is made available to the consumers to the extent possible, however, owing only in specific instances where in it is impossible to ascertain the date of manufacturing, the companies provide the date of packaging/date of import.

We have also had intense deliberation within the electronic industry which feels that providing the flexibility to declare month of prepacked/import will provide the requisite flexibility that has existed in the law and will reinforce ease of doing business without compromising on consumers' interest.

It is important that the industry is provided sufficient time to come up with possible solutions which will balance the requirements of all stakeholders.

In view of this and the impending short deadline (until May 31, 2023), we would request your urgent intervention in seeking the following remedies:

1. While we are deliberating internally upon the modalities to be compliant with the updated rules, we humbly request that an **extension on Legal Metrology (Packaged Commodities) Amendment Rules, 2021 be granted for a period of one year. Not providing an extension in date will run the risk of the electronics industry at large being in non-compliance.**
2. **We would also request for a consultation on this matter, so that an amicable solution can be arrived at.**

Your kind consideration will go a long way in ease of doing business in the IT and electronic sector. We continue to ensure that the consumer's interest is protected.

Warm regards,



Col. Ali Akhtar Jafri, Retd.
Director General