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Ref.No.MAIT/PY/2684

April 12, 2023

Shri Pramod Kumar Tiwari, IAS
Director General
Bureau of Indian Standards

Subject: Request for e-labelling of Country of Origin on electronics and ICT Products covered under BIS' Compulsory Registration Order

Reference: MAIT Representation dated MAIT/PY/2624 dated 12 January 2023

Respected Sir,

Greetings from MAIT!

We are writing in furtherance to our letter No.MAIT/PY/2624 dated 12th January 2023 to the Bureau of Indian Standards ("**BIS**") and the Ministry of Electronics and Information Technology ("**MeitY**"), highlighting the concerns of the industry regarding the Country of Origin ("**COO**") physical marking requirement sought by BIS recognised Labs for products covered under the Electronics and Information Technology Goods (Requirement of Compulsory Registration) Order, 2021¹ ("**CRO**").

As indicated in our previous submissions, **BIS recognised labs requirement of all products under the CRO to have COO marked on the physical products itself during lab testing** is not based any regulation or mandate under the extant law, specifically the Bureau of Indian Standards (Conformity Assessment Regulations, 2018² ("**CAR 2018**") or the CRO. Therefore, clarification regarding the same was sought. However, we have not received any clarity or confirmation relating to this process adopted by BIS recognised labs of requiring physical marking of COO on the products.

In the absence of a mandate or regulation requiring physical marking of the COO on the product, regulations which allow e-labelling for declarations are worth noting –

1. BIS e-labelling guidelines³ allows devices with an integrated display screen to present the required labelling information including BIS "Standard Mark" electronically in lieu of a physical label on the product. A similar relaxation was allowed for e-labelling under the CAR 2018.
2. Furthermore, the Mandatory Testing and Certification of Telecom Equipment Procedure ("**MTCTE Procedure**") issued in May 2021⁴ allows "*e-label of TEC Certification in case of Telecom / related ICT equipment with integrated displays in lieu of physical labelling*"⁵ and has done away with the requirement to mention 'Country of Origin' altogether⁶.

1 Available at <https://www.bis.gov.in/wp-content/uploads/2021/11/Electronics-and-Information-Technology-Goods-Requirement-of-Compulsory-Registration-Order-2021-1.pdf>

2 Scheme-II of Schedule-II of Bureau of Indian Standards (Conformity Assessment) Regulations, 2018. Available at https://www.bis.gov.in/wp-content/uploads/2019/03/BIS_CA_12032019.pdf

3 Electronic Labelling (e-labelling) Guidelines – CMD III/9:6/e-labelling dated 13.09.2017. Available at <https://www.meit.gov.in/writereaddata/files/E%20LABELLING%20GUIDELINES.pdf>

4 Available at https://tec.gov.in/pdf/MTCTE/MTCTE_PROCEDURE_amend.pdf

5 See Annexure D, Mandatory Testing and Certification of Telecom Equipment Procedure, May 2021.

6 Revision of Labelling Guidelines in MTCTE Procedure, 7th September 2021. Available at https://www.mtcte.tec.gov.in/File?path=Notification_labelling_OM.pdf

Hence, **in the absence of any specific mandate under extant law which requires COO marking on the product itself, and given the specific allowance for the same in other regulations (as indicated above) we intend to start using e-labelling for COO marking instead of physical marking as sought by BIS laboratories.**

It is our humble request that e-labelling for COO marking should be permitted for products having an integrated display. This will enhance Ease of Doing Business and avoid market-entry related delays. We request that necessary notifications/intimations accordingly be issued by BIS to the accredited labs and other industry stakeholders.

Warm regards,



Col. AA Jafri, Retd.
Director General

CC: Shri Bhuvnesh Kumar, IAS, Additional Secretary, Ministry of Electronics & IT