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BIS REGISTRATION MANDATORY FOR ELECTRONIC GOODS

Who is required to Register?

Every person who either by himself or through any person on his behalf manufactures or stores for sale, imports or distributes any of the specified 15 electronic goods (such as microwave ovens, set top boxes, tablets etc.) listed in **Annexure 1** hereto (“**Electronic Goods**”) is mandatorily required to obtain registration from the Bureau of Indian Standards (“**BIS**”).

The registration for Electronic Goods stems from the Electronics and Information Technology Goods (Requirement for Compulsory Registration) Order, 2012 (“**Order**”) issued by the Ministry of Communications and Information Technology (“**Ministry**”).

Other Important Requirements under the Order

- (1) Pursuant to the Order, no person can manufacture or store for sale, import, sell or distribute the Electronic Goods which do not conform to the standards specified in the Order for the relevant Goods and do not bear a self declaration, stating such conformance, after obtaining registration from BIS in terms of the Bureau of Indian Standards Act, 1986 (“**Act**”) and the Bureau of Indian Standards Rules, 1987 (“**Rules**”).
- (2) The Order further mandates that the substandard or defective Electronic Goods that do not conform to the standards as specified in the Order are to be deformed beyond use by the manufacturer and disposed off as scrap. It should, however, be noted that the Order, Act and Rules do not specify what would be construed as substandard or defective.

Exception to the Order

The Order does not apply in relation to manufacture of Electronic Goods meant for export.

Extension of Time

Though the Order was to come into force on 3 April 2013, pursuant to a notification dated 20 March 2013 (“**March 20th Notification**”) the effective date of the Order was extended to 3 July 2013. The March 20th Notification was partially modified pursuant to a notification dated 2 July 2013 (“**July 2nd Notification**”).

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The March 20th Notification also provides that manufacturing units are given an additional period of 3 months from 4 July 2013 (i.e. until 3 October 2013) to fully comply with the Order, subject to the following:

(i) Fee levied in case products not submitted

Manufacturing units which have not submitted the products to the BIS recognised labs before 3 July 2013 for testing, will be levied a fee three times that specified in the Notification for such period till they submit their samples for testing and thereafter with a fee on a per month basis at the rate specified in the Notification till they submit a request for registration to BIS with complete test reports.

(ii) Products submitted but awaiting test reports

Manufacturing units which have submitted the products to BIS recognised labs before 3 July 2013, but test reports are not available, will be levied a fee on a per month basis as set out in the Notification for such period till they submit a request for registration to BIS with complete test reports.

However, pursuant to the July 2nd Notification, manufacturing units which have submitted the products to BIS for testing before 3 July 2013 but test reports are not available, have been granted an extension of three months (w.e.f. 4 July 2013) during which time no fee will be levied.

(iii) Submitting Request for Registration

Manufacturing units which have submitted a request for registration with BIS with complete test reports from BIS recognised labs (in accordance with the Rules) before 3 July 2013 are allowed such extension till 3 October 2013 for full compliance with the Order.

Such extension is available pursuant to an application being made. The request for such extension may be made by a liaison or a branch office located in India of manufacturing units located abroad. In addition to the above, the Department has issued guidelines on the process for the grant of such extension and now has a system for granting provisional clearance for units which have not obtained registration.

Conclusion

Manufacturers and importers who trade in various electronic and IT products such as laptops, tablets, microwave ovens, set top boxes and certain types of televisions are now required to procure registration with BIS and comply with specified standards.

Annexure 1 List of Electronic Goods

1. Electronic Games (Video)
2. Laptop/Notebook/Tablets
3. Plasma/LCD/LED Televisions of screen size 32" & above
4. Optical Disc Players with built in amplifiers of input power 200W and above
5. Microwave ovens
6. Visual Display Units, Video Monitors of screen 32" & above
7. Printers, Plotters
8. Scanners
9. Wireless Keyboards

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10. Telephone Answering Machines
11. Amplifiers with input power 2000W and above
12. Electronic Musical Systems with input power 200W and above
13. Electronic Clocks with Mains Powers
14. Set Top Box
15. Automatic Data Processing Machine

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