

The Bureau of Energy Efficiency (Particulars and Manner of their Display on Labels of UHD Television) Regulations, 2022

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The Bureau of Energy Efficiency (Particulars and Manner of their Display on Labels of UHD Television) Regulations, 2022¹

In exercise of the powers conferred by clause (i) of sub-section (2) of Section 58 read with clause (n) of sub-section (2) of Section 13 of the **Energy Conservation Act, 2001** (52 of 2001), the Bureau of Energy Efficiency (the Bureau) with the previous approval of the Central Government, proposes to notify the Bureau of Energy Efficiency (Particulars and Manner of their Display on Label of Ultra-High Definition (UHD) Television) Regulation 2022, the proposed draft regulations are hereby published in the Gazette of India, Extraordinary, as required by sub-section (1) of Section 58 of the said Act, for the information of all the persons likely to be affected thereby and inviting their suggestions and objections (if any); and the notice is hereby given that the said draft regulations shall be taken into consideration on or after the expiry of a period of thirty days from the date of their publication in the Gazette of India, Extraordinary;

Any objections or suggestions, if any, may be addressed to the Director-General, Bureau of Energy Efficiency, Ministry of Power, 4th Floor, Sewa Bhawan, North Wing, Sector-1, R.K.Puram, New Delhi-110066;

Objections or suggestions which may be received from the persons with respect to the said draft regulations before the expiry of the period of thirty days specified in Para 1 above, shall be taken into consideration by the Bureau of Energy Efficiency.

1. Short title and commencement.—(1) These regulations may be called the **Bureau of Energy Efficiency (Particulars and Manner of their Display on Labels of UHD Television) Regulations, 2022**.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definition.—(1) In these regulations, unless the context otherwise requires,—

- (a) "Act" means the Energy Conservation Act, 2001(52 of 2001);
- (b) "UHD television" means an appliance as specified in the notification under clause (b) of Section 14 of the Act;
- (c) "Form" means a form appended to these regulations;
- (d) "label" means any written, printed, marked, stamped or graphic matter affixed to, or appearing upon, UHD television;
- (e) "label period" means the validity period of the annual energy consumption under energy consumption standard notified by the Central Government under clause (a) of Section 14 and in case the end period of the validity period of the annual energy consumption is not notified, it shall be deemed to be valid until new values for the same are notified by the Central Government;

1. Bureau of Energy Efficiency, Noti. No. F. No. BEE/S&L/UHD/02/2022-23, dated August 1, 2022 and published in the Gazette of India, Extra., Part III, Section 4, dated 1st August, 2022, pp. 23-44, No. 381

- (f) "models or family of models" means the model or range of models of one particular brand, to which a single set of test reports is applicable and where each of the models has the same physical characteristics, annual energy consumption, energy efficiency rating and performance characteristics;
- (g) "permittee" means a person or agency to whom permission has been granted to affix label under Regulation 7;
- (h) "star rating or star level" means the grade of energy efficiency displayed on the label of the UHD television based on energy consumption standard notified by the Central Government under clause (a) of Section 14 of the Act to denote the annual energy performance of UHD televisions;
- (i) "trader or seller" in relation to any labelled UHD television means a person who sells or distributes any such UHD television and includes the shopkeeper, trader, manufacturer and permittee who has been given permission to affix label on such UHD television.

(2) Words and expressions used herein and not defined, but defined in the Act, shall have meanings respectively assigned to them in the Act.

3. Particulars to be displayed on label.—(1) On every UHD television, the following particulars shall be displayed on its label, namely—

- (a) the logo of the Bureau of Energy Efficiency;
- (b) Equipment;
- (c) Type;
- (d) Make/Manufacturer/Importer;
- (e) model number and year of manufacturing or import;
- (f) screen size in centimetre (screen size measured diagonally across the screen in centimetre);
- (g) annual energy consumption in kWh per year;
- (h) Unique series code;
- (i) star level; and
- (j) label period.

(2) The design, colour, size and content of label shall be as specified in the Schedule annexed to these regulations.

4. Time limit for display of labels.—(1) A label containing all the particulars specified in Regulation 3 shall be displayed on every UHD television within a period of six months from the date of coming into force of these regulations.

(2) On and from commencement of revised energy consumption standards notified by the Central Government under clause (a) of Section 14 of the Act, every permittee or trader or seller—

- (a) shall not produce the UHD television with the previous energy consumption standards;

- (b) the UHD television shall display revised star level and label period with the revised energy consumption standard and the manufacturing year of the UHD television in synchronization with revised energy consumption standards;
- (c) All preparatory steps including awareness of the dealers, retailers, requisite publicity for their education as well as for the education of the consumers are well planned and action taken in advance.

5. Manner of display of label.—(1) The label shall be affixed at the front display of the unit and should be easily visible as referred in sub-regulation (2) of Regulation 3 and the permittee shall ensure that the label appears on every registered unit or model on display for identification purpose, at point of sale or hire and the label shall also be printed or pasted to the exterior to the casing containing the unit or model.

(2) For units not on display, the label may be printed or pasted to the exterior of the casing of the UHD television and the label may be attached to the unit or model when the unit or model is removed from its packaging or the label may be included as a part of the documentation given to the customer or user.

6. Permission for display of label.—(1) No star label shall be affixed on a UHD television without obtaining the prior permission of the Bureau.

(2) *Company registration.*—For the purposes of obtaining permission of the Bureau, every brand shall be registered separately as specified in Form I(A), accompanied by a label security fee of one lakh rupees, payable by electronic mode of payment:

Provided that in case of small scale industry, the label security fee shall be twenty five thousand rupees only.

(3) *Model registration.*—Every application of the permittee under sub-regulation (2) shall be accompanied by—

- (a) an application fee of two thousand rupees per model, payable by electronic mode of payment; and
- (b) documents specified in Form I(B).

7. Grant of permission.—(1) On receipt of an application under Regulation 6 and after being satisfied that all requirements therein are complied with, the Bureau may, within a period as specified in its Manual on standards and labeling namely DISHA (Disseminating Star Labeling in Household Appliance), subject to such terms and conditions as specified in Regulation 8,—

- (a) register the brand in Form II(A) in electronic form; and
- (b) grant permission for affixing label on UHD television in Form II-(B) in electronic form.

(2) The Bureau shall maintain a register in Form III and enter the name of permittee therein.

(3) The permission so granted under sub-regulation (1) shall be valid for such period till which the star level specified by the energy consumption standard as notified by the Central Government under clause (a) of Section 14 is in force.

(4) In case of revision of star rating plan, an application for renewal of permission shall be made by the permittee not later than one month before its expiry and shall be accompanied by a fee of rupees one thousand payable in electronic mode in favour of the Bureau of Energy Efficiency, New Delhi.

In case of extension of star rating plan, the said renewal fee of rupees one thousand shall be exempted.

(5) On receipt of application for renewal under sub-regulation (4) and after being satisfied that all requirements are complied with, the Bureau may, within a period of one month from the date of such receipt, renew permission in Form II.

(6) The permittee who seeks permission for continuance to affix label on the existing model of the UHD television from the date from which the revised star level comes into force shall submit a declaration according to Form IV.

(7) The permittee shall seek permission to affix a label afresh, if a new model of the UHD television is to be launched synchronizing with the revised star level, and application for such permission shall be made six months in advance of coming into force of the revised star level.

8. Terms and conditions for display of particulars on label.—Every permittee, trader and seller shall comply with the following terms and conditions in displaying the particulars on label, namely—

- (a) the star level displayed on the label of UHD television shall conform to energy consumption standards for UHD television notified by the Central Government under clause (a) of Section 14 of the Act;
- (b) the label shall be affixed only on such model of UHD television for which permission has been granted;
- (c) the label shall be printed and affixed on the UHD television at the cost of the permittee;
- (d) the permittee, trader and seller shall ensure that the star level displayed on the label of UHD television shall be maintained at all time;
- (e) the permittee shall pay the label fee as specified in Regulation 9;
- (f) the permittee shall furnish to the Bureau a statement containing details of production of labeled equipment and the accrued labeling fee due for each quarter within the following month of the close of each quarter of the financial year;
- (g) the permittee shall furnish to the Bureau an updated list of authorised distributors, dealers, retailers, sellers appointed to sell their labelled products by 30th day of April of each year;
- (h) the permittee, trader and seller shall comply with such other terms and conditions which the Bureau may specify including those contained

in the Bureau's Manual on standards and labeling namely DISHA (Disseminating Star Labeling in Household Appliance).

9. Label fee.—(1) Every permittee shall pay to the Bureau a label fee of thirty rupees for each label affixed on the UHD television.

(2) The label fee specified under sub-regulation (1) shall be paid annually within one month from the date of closure of each financial year:

Provided that on failure to pay the label fee within the period so specified, the Bureau may recover the amount due with interest thereon at ten per cent per annum from the label security deposit made under clause (b) of sub-regulation (3) of Regulation 6 and if complete labeling fees are not recovered within one year of the last date of submission, the Bureau may cancel all labels granted to the permittee and publish the name of the permittee in the newspapers as a defaulter.

10. Refund of label security deposit.—Subject to the provisions of sub-regulation (2) of Regulation 9, a permittee shall be entitled to a refund of the label security fee, on ceasing to manufacture UHD television.

11. Verification by Bureau.—(1) The Bureau or its designated agency may, either suo motu, or on a complaint received by it, carry out verification to ensure that the UHD television conforms to the star level and other particulars displayed on its label and that it complies with the other terms and conditions of permission.

(2) For the purpose of verification, samples shall be picked up at random by the Bureau or its designated agency from the manufacturing facility, warehouse or the retail outlet as it deems fit.

(3) Where, upon a complaint received under sub-regulation (1), the Bureau is required to carry out verification by challenge testing the UHD television in an independent laboratory duly accredited by the National Accreditation Board for Testing and Calibration Laboratories, and a notice shall be issued to the permittee in Form V for carrying out such testing and the complainant shall be called upon to deposit, such expenses relating to sample cost, testing, transportation and other incidental expenses with the Bureau, within such time, as may be determined by Bureau and if the sample drawn under challenge testing fails, all expenses as specified shall be reimbursed by the permittee to the Bureau and the Bureau shall refund the aforesaid expenses to the complainant; and where the equipment passes the challenge test, then the expenses deposited by the complainant shall stand forfeited.

(4) Where a sample of UHD television used for testing fails the test during suo motu testing or challenge testing, the permittee shall be afforded another opportunity and the Bureau shall conduct a second test with twice the quantity of UHD television used in the first test, in an independent test laboratory which is different from the lab where the first check testing was conducted and shall be duly accredited by the National Accreditation Board for Testing and Calibration Laboratories at the cost of the permittee. The Bureau shall intimate the permittee in Form V to witness the challenge testing referred to in sub-regulation (3) or the

second test referred to in sub-regulation (4) and the expenses to be made towards the procurement and testing of sample.

(5) Where the second test fails, the Bureau shall,—

(a) direct the permittee in Form VI, under intimation to all the State Designated Agencies, that the permittee within a period of two months,—

(i) correct the star level displayed on the label of the UHD television or remove the defects and deficiencies found during testing;

(ii) withdraw all the stocks from the market to comply with the directions of the Bureau;

(iii) change the particulars displayed on advertising material;

(b) publish for the benefit of the consumers, the name of any permittee, brand name, model name or model number, logo and other specification in any national or regional daily newspaper and in any electronic or in any electronic means or in any other manner as it deems fit, within two months;

(c) Intimate to the concerned State Designated Agency to initiate adjudication proceedings against the permittee and the trader under Section 27 of the Act.

(6) The permittee shall, within ten days of the conclusion of the period of two months referred to in sub-regulation (5),—

(a) send the compliance report in Form VII to the Bureau with respect to action taken in compliance with the direction.

(b) in case the compliance report referred to in clause (a) is not received or received without complying to any of the direction within the specified period, it shall be deemed as non-compliance of the direction issued and orders to that effect shall be passed by the Bureau.

(7) The Bureau shall send the compliance report referred to in clause (a) and orders passed in clause (b) of sub-regulation (6) along with necessary documents to all the State Designated Agencies for the purpose of taking action under Section 17 and enforcement of order passed under clause (b) of the said sub-regulation.

(8) Where the permittee fails to comply with the directions issued by the Bureau under sub-regulation (5), the Bureau under intimation to all State Designated Agencies, shall,—

(a) withdraw the permission granted to the permittee under sub-regulation (1) of Regulation 7;

(b) send report to the Central Government accompanied by the test report in support of the failure by the permittee to conform to the energy consumption standards notified by the Central Government under clause (a) of Section 14 of the Act, the directions of the Bureau referred in clause (a) of sub-regulation (6) for consideration and for taking action under clause (c) of Section 14 of the Act by the Central Government;

- (c) publish for the benefit of the consumers, the name of any permittee, brand name, model name or model number, logo and other specification in any national or regional daily newspaper and in any electronic or in any other manner as it deems fit within two months;
- (d) intimate to the concerned State Designated Agencies to initiate further adjudication proceedings against the permittee and the trader under Section 27 of the Act.

12. Cancellation of permission.—The Bureau may cancel the permission granted under Regulation 7, if the permittee—

- (a) fails to comply with any of the terms and conditions specified under Regulation 8;
- (b) fails to pay label fee within the period specified under Regulation 9;
- (c) does not comply with the direction issued under Regulation 11;

SCHEDULES

[For Schedules *see* SCC OnLine]
