

Bureau of Energy Efficiency (Particulars and Manner of their Display on Labels of Washing Machine) Regulation 2023

UNION OF INDIA

India

The Energy Conservation Act, 2001

Bureau of Energy Efficiency (Particulars and Manner of their Display on Labels of Washing Machine) Regulation 2023

Regulation NO-BEE-S-L-WM-06-22-23- of 2023

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No. BEE/S&L/WM/06/22-23.—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 200), 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 Labels of Washing Machine) Regulation 2023, 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; 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 and may also be sent at the e-mail address of the Bureau at dg-bee @ nic.in; 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 Washing Machine), Regulations, 2023. (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definition: - (.) In these regulations, unless the context otherwise requires,

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(a)“Act” means the Energy Conservation Act, 2001(52 of 2001);(b)“Form” means a form appended to these regulations;(c)“label” means any written, printed, marked, stamped or graphic matter affixed to, or appearing upon the Washing Machine;(d)“label period” means the validity period of per-cycle energy consumption per kg under energy performance standards notified by the Central Government under clause (a) of section 4 of the Act:Provided that if, by the ending timeline of the label validity period, the new energy performance standards under section 14(a) of the Act are not notified, the existing standards shall be deemed to be valid until new values for the same are notified by the Central Government;(e)“permittee” means a person or agency to whom permission has been granted to affix label under regulation 7;(f)“Washing Machine” means an appliance as specified in the notification under clause (b) of section 14 of the Act;(g)“Star rating or star level” means the grade of energy efficiency displayed on the label of the washing machine based on energy consumption per cycle notified by the Central Government under clause (a) of section 4 of the Act. The available stars are between a minimum of one and a maximum of five shown in one star interval.(h)“trader or seller” in relation to any washing machine means a person who sells or distributes such washing machine and includes shopkeeper, trader, manufacturer and permittee who has been given permission to affix label on such washing machine.(i)“Schedule” means the Schedule annexed to these regulations;(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 washing machine, the following particulars shall be displayed on its label, namely:
-(a)Star level;(b)The logo of the Bureau of Energy Efficiency;(c)name of appliance;(d)brand/make;(e)model/ year of manufacturing or import;(f)type of washing machine;(g)load Capacity;(h)water Consumption;(i)unique label series code;(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)Transition from Voluntary to Mandatory regime.- A label containing all the particulars specified in regulation 3 shall be displayed on every washing machine within a period of six months from the date of coming into force of these regulations.(2)Revision of Mandatory Energy performance standards.- On and from commencement of revised energy performance 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 washing machine with the previous energy performance standards;(b)the washing machine shall display revised star level and label period with the revised energy consumption standard and the manufacturing year of the washing machine in synchronization with revised energy performance 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 three months in advance.

5. Manner of display of label. -

(1) There shall be label on every washing machine which shall be displayed at the point of sale and such label shall be affixed on washing machine in the following manner, namely:—(i) The label shall be firmly affixed at the front display of each appliance 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. (ii) The label shall be of self — adhesive material. The markings required by the schedule shall be legible, indelible and durable. (2) For units not on display, the label may be printed or pasted to the exterior to the casing and this 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 washing machine without obtaining the prior permission of the Bureau. (2) Company registration. - For the purposes of obtaining permission of the Bureau, an application for registration shall be made for every brand separately as specified in Form I-(A), accompanied by a label security deposit of One lakh rupees, payable by acceptable 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) a label security fee of one lakh rupees, payable in favour of the Bureau of Energy Efficiency, New Delhi; by acceptable electronic mode of payment: Provided that in case of small scale industry label security fee shall be only twenty -five thousand rupees; and (a) documents specified in Form I - (8).

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 DISHA (Bureau's Operation Manual on Standards and Labelling) 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 washing machine in Form II-(B) in electronic form. (2) The Bureau shall maintain a register in Form ITI and enter the name of the permittee therein. (3) The permission so granted under sub-regulation () shall be valid for such period till which the star level as specified in the energy consumption standard as notified by the Central Government under clause (a) of section 4 of the Act 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. Provided that in case of extension of star rating plan, the said renewal fee of

rupees one thousand shall be exempted.(5)No application shall be renewed after expiry of validity period, in which case the permittee shall make a fresh application.(6)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-B.(7)The permittee who seeks permission for continuance to affix label on the existing model of the washing machine from the date from which the revised star level comes into force, shall submit only a declaration in Form IV.(8)The permittee shall seek permission to affix label afresh, if new model of the washing machine is planned to be launched to synchronise with the revised star level and application for such permission may 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 washing machine shall conform to energy performance standards for washing machine 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 washing machine for which permission has been granted;(c)the label shall be printed and affixed on the washing machine at the cost of permittee;(d)the permittee, trader and seller shall ensure that the star level displayed on the label of washing machine 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 labelled 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)comply with such other terms and conditions which the Bureau may specify including those contained in the Bureau's Manual on Standard and Labelling

9. Label fee. -

(1)Every permittee shall pay to the Bureau a label fee of INR 30/- (rupees thirty only) for each label affixed on the washing machine.(2)The label fee specified under sub-regulation () 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 percent per annum from the label security deposit paid made under clause(b)of sub-regulation (3) of regulation 6, and if complete labelling fees are not recovered within one year of the last date of submission, the Bureau may cancel the permission to labels granted to the permittee and publish the name of the permittee in the national or regional daily newspapers and in electronic means as a defaulter.

10. Refund of label security fee. -

Subject to the provisions of sub-regulation (2) of regulation 9, a permittee shall be entitled to a refund of the label security deposit, on ceasing to manufacture washing machine.

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 washing machine conforms to the star level and other particulars displayed on its label and that it complies with the other terms and conditions of permission. All test includes wash performance, rinse performance, energy consumption, water consumption and water extraction performance (residual water content)(2)For the purpose of verification, samples shall be picked up at random by 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 (), the Bureau is required to carry out verification by challenge testing the washing machine in an independent laboratory duly accredited by National Accreditation Board for Testing and Calibration Laboratories (NABL),-(a)The Bureau shall issue a notice 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.(b)if the sample drawn under challenge testing fails, all expenses towards the cost of sample, transportation of sample and the testing charges, shall be reimbursed by the permittee to the Bureau and the Bureau shall refund the aforesaid expenses to the complainant; and(c)where the equipment passes the challenge test, then, the expenses deposited by the complainant shall be forfeited.(4)Where, upon a complaint received under sub-regulation (.), if the permittee fails to deposit such expense referred to in sub-regulation (3) within such time, the Bureau shall-(a)continue the verification by challenge testing the washing machine referred to in sub-regulation (3); and(b)the processing of application received under regulation 6 may be kept in abeyance till such expense are deposited.(5)Where samples of washing machine used for testing fails the test during suo motu testing or challenge testing, the Bureau shall offer the permittee, another opportunity and conduct a second test with twice the quantity of washing machine 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 National Accreditation Board for Testing and Calibration Laboratories (NABL) 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.(6)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 shall, -(i)correct the star level displayed on the label of the washing machine 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; and(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 specifications in any national or regional daily newspaper and 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.(7)The permittee shall within ten days of the conclusion of the period of two months referred to in sub-regulation(6),-(a)send the compliance report in Form VII to Bureau with respect to action taken in compliance with the direction; and(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.(8)The Bureau shall send a copy of 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 [7 of the Act and enforcement of the orders passed under clause (b) of the said sub-regulation.(9)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 () 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 performance standards notified by the Central Government under clause (a) of section [4 of the Act, the directions of the Bureau referred to in clause (a) of sub-regulation(7)for consideration and taking action under clause (c) of section 44 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.

2. 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 ||.Provided that no permission shall be cancelled unless the permittee has been given an opportunity of being heard in the matter.FORM I - (A)[See regulation 6 (2)](To be printed in Company letter head)Application for registration of brand of washing machine under the Bureau of Energy Efficiency (Particulars and Manner of their Display on Label of washing machine) Regulations, 2023The Director GeneralBureau of Energy Efficiency,(Ministry of Power, Government of India) 4th Floor, Sewa Bhawan,Sector-I, R.K. Puram, New Delhi — 0 066 India.I/We am/are the manufacturer/manufacturers of washing machine carrying out business ate...eecece eeeteete (full business address) under the style of(full name of individual or firm) hereby apply for permission to affix label on washing machine as specified by the Bureau in the Bureau of Energy Efficiency (Particulars and Manner of their Display of the Label on Washing Machine) Regulations, 2023.The details of the information in respect of the equipment, company, manufacturing facility and payment is given in Annexure A-I. A photocopy of the certificate of incorporation issued by the Registrar of Firms or Societies or Director of Industries (in case of Small Scale Units) or similar other documents authenticating the name of the firm and its manufacturing premises is enclosed.(a)Applicant/Authorised persone .o..oo.o cecece eeeteens seeceeeeneeee (Name and Designation) is authorised to make this application on behalf of the company/firm etc. and will be responsible for accuracy of the information supplied with this application.(b)Contact person:.....(Name and designation) is authorised contact person for coordination with the Bureau in respect of this application and use of the label.(c)I/We undertake to intimate to the Bureau of any change in the authorized persons defined in (a) or (b) above.

3. Production and sale figures of the said equipment and the value there of to the best of my/our knowledge and estimates are as follows:

Year	Production Sales	Maximum retail price of the equipment (Rs.)
Last Year from.....To.....Current YearFrom.....To.....(estimate)		

4. A label security fee of one lakh rupees or twenty-five thousand rupees (as the case may be).....has been paid by electronic mode... ..dated..... (To be filled only at the time of submission of label security fee).5. I/We agree to pay the labelling fee as specified by the Bureau.6. I/We agree to abide by all the terms and conditions specified by the Bureau and extend necessary assistance/co-operation to the Bureau in case of any enquiry to be made by it.7. I/We authorise the Bureau of Energy Efficiency for selection of sample for verification and challenge testing and agree to abide by the directions of the Bureau in this regard.8. I/We undertake that the information supplied in this application is accurate to the best of my knowledge, and if any of the information supplied is found to be incorrect; the application may be rejected forthwith.Dated this Day of(Year)cette eteeteeeeeName
----- - --Designation
----- -- -- -- -- --For and on behalf | [.....---(Name of the firm)SEAL OF FIRMAnnexure A-I[See para 2 of Form I - (A)]l. Details of the CompanyName of the companyAddressPin codeStatePhone numberFax numberE-mailWebsiteEnclosures to support registration:(a) Document authenticating the name and addressof the manufacturing or business premises Yes/No(b) Trade mark certificate(c) Small scale industries Certificate, if applicable(d) Quality Management System Certificate(e) Authorised signatory letter(f) Bureau of Indian standards license, if applicable(g) payment receipt for payment is made online2. Details of the manufacturing premise (a separate table may be provided in case of more than one manufacturing facilityName of the manufacturing facilityAddressPin codeState / CountrPhone numberFax numberE-mailWebsiteAny other details Gif any)SISNAUILE. oc
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