

The Bureau of Energy Efficiency (Particulars and Manner of their Display on Labels of Room Air Conditioners) Regulations, 2009

UNION OF INDIA

India

The Energy Conservation Act, 2001

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Regulation

THE-BUREAU-OF-ENERGY-EFFICIENCY-PARTICULARS of 2009

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Central Government ActThe Bureau of Energy Efficiency (Particulars and Manner of their Display on Labels of Room Air Conditioners) Regulations, 2009

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 Room Air Conditioners) Regulations, 2009.

(2) They shall come into force on the date¹ 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;

[(aa) "Form" means a form appended to these regulations;](b)"label" means any written, printed, marked, stamped or graphic matter affixed to, or appearing upon, room air conditioner;(c)"models" mean the 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, comparative, energy consumption, energy efficiency level and performance characteristics and includes family of models;[(ca) "permittee" means a person to whom permission has been granted under regulation 7;](d)"room air conditioner" means air conditioner of the vapour compression type for household use up to a rated cooling capacity of 10,465 watts or 9000 k cal/hour and shall include single-phase

split and unitary air conditioners covered within the scope of IS 1391 (Part 1):1992, and IS 1391 (Part 2): 1992, but shall not include such other room air conditioner which is not covered within the scope IS 1391 (Part 1): 1992, and IS 1391 (Part 2):1992, pending the development of a suitable test method or multi-split systems having more than one indoor unit with an independent control for each indoor unit, or have evaporative cooler or any other cooling systems which are not of the vapour compression type;(e)"star rating or star level" means the grade of energy efficiency displayed on the label of the room air conditioner based on energy consumption to denote the energy efficiency of the air conditioner.(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 the labels .-(1) On every room air conditioner, the following particulars shall be displayed on its label, namely:-(a) the logo of the Bureau of Energy Efficiency;

(b)type of air conditioner;(c)name of manufacturer or importer and brand;(d)model and year of manufacturing or import;(e)authority number;(f)cooling capacity in watts;(g)power consumption in watts;(h)star level of air conditioner;(i)variable speed compressor (Yes/No);(j)heat pump (Yes/No);(k)energy efficiency ratio i.e., cooling capacity in watts by power consumption in watts.(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 .-A label containing particulars specified in regulation 3 shall be displayed on every room air conditioner within a period of six months from the date of coming into force of these regulations.

5. Manner of display of label .-(1) Every room air conditioner shall display label at the time of sale and such label shall be either adhered to, or attached as a swing tag, on it.

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

3. [6 Permission for display of label. -(1) No label shall be affixed on a room air conditioner without obtaining the permission of the Bureau.

(2)For the purpose of obtaining permission of the Bureau under sub- regulation (1), an application shall be made in Form-I or in electronic form: Provided that separate application shall be made for each model of room air conditioner.(3)Every application under sub-regulation (2) shall be accompanied by-(a) an application fee of rupees one thousand payable by demand draft drawn in favour of the Bureau of Energy Efficiency, New Delhi or by any electronic mode of payment;(b)a label Security Fee of rupees one lakh payable by demand draft drawn in favour of the Bureau of

Energy Efficiency, New Delhi or by any electronic mode of payment;(c)documents specified therein.]

4. [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 of one month from the date of such receipt, grant, subject to such terms and conditions as are specified in regulation 8, permission for affixing label on room air conditioner in Form-II or 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 a period of three years and may be renewed for a further period of three years by the Bureau.(4)An application for renewal of permission shall be made at least three months before its expiry and shall be accompanied by a fee of rupees five hundred payable by demand draft drawn in favour of the Bureau of Energy Efficiency, New Delhi or by any electronic mode of payment.(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 as in Form II.]

5. [8 Terms and conditions for display of particulars on label. -Every permittee shall comply with the following terms and conditions, namely:-(a) The star level displayed on the label of the room air conditioner shall conform to energy consumption standards for room air conditioner notified under clause (a) of section 14 of the Act;

(b)the label shall be affixed only on such model of room air conditioner for which permission has been granted;(c)the label shall be printed and affixed on the room air conditioner at the cost of the permittee;(d)the permittee shall ensure that the star level displayed on the label of room air conditioner 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 labelling fee due for each quarter within the following month of the close of each quarter of the financial year;(g)the permittee shall comply with such other terms and conditions which the Bureau may specify.]

6. [9 Label Fee. -(1) Every permittee shall pay to the Bureau a label fee of rupees thirty on each label so affixed on the room air conditioner.

(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. from the Label Security Fee paid under clause (b) of sub-regulation (3) of regulation 6.]

7. [10 Refund of Label Security Fee. - Subject to the proviso to sub-regulation (2) of regulation 9, a permittee shall be entitled to a refund of the Label Security Fee on ceasing to manufacture room air conditioner.]

8. [11 Verification by the Bureau. -(1) The Bureau may, either suo motu, or on the complaint received by it, carry out verification to ensure that the room air conditioner 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)Where upon a complaint received under sub-regulation (1), the Bureau is required to carry out verification, by testing the room air conditioner in a laboratory, a notice shall be issued to the permittee for carrying out such testing and the complainant shall be called upon to deposit such expenses relating to testing, transportation and other incidental expenses with the Bureau, within such time, as may be determined by it.(3)Where samples of room air conditioner used for testing fails the test, the permittee shall be afforded another opportunity and the Bureau shall conduct a second test with twice the quantity of room air conditioners used in the first test, at the cost of the permittee;(4)Where the second test also fails, the Bureau shall direct that the permittee shall, within a period of two months,-(a) correct the star level displayed on the label of the room air conditioners or remove the defects and deficiencies found during testing;(b)withdraw all the stocks from the market to comply with the directions of the Bureau; and(c)change the particulars displayed on advertising material.(5)Where the permittee fails to comply with the directions issued by the Bureau under sub-regulation (4), the Bureau shall-(a) withdraw the permission;(b)notify the consumers in such manner as it deems fit;(c)initiate adjudication proceedings against such permittee under section 27 of the Act.]

9. [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.]

1. Came into force on 7-7-2009.

2. Ins. by Notification No. 2/11(5)/03-BEE-2, dated 5th January, 2010.

3. Ins. by Notification No. 2/11(5)/03-BEE-2, dated 5th January, 2010.

4. Ins. by Notification No. 2/11(5)/03-BEE-2, dated 5th January, 2010.

- 5. Ins. by Notification No. 2/11(5)/03-BEE-2, dated 5th January, 2010.**
- 6. Ins. by Notification No. 2/11(5)/03-BEE-2, dated 5th January, 2010.**
- 7. Ins. by Notification No. 2/11(5)/03-BEE-2, dated 5th January, 2010.**
- 8. Ins. by Notification No. 2/11(5)/03-BEE-2, dated 5th January, 2010.**
- 9. Ins. by Notification No. 2/11(5)/03-BEE-2, dated 5th January, 2010.**