



Recent Updates on the Machinery and Electrical Equipment Safety (Omnibus Technical Regulation) Order, 2024

Context	On 28th August 2024, the Ministry of Heavy Industries (“ MHI ”) has notified the Machinery and Electrical Equipment Safety (Omnibus Technical Regulation) Order, 2024 (“ OTR ”)* mandating the conformity to specified Indian Standards for machinery and electrical equipment under First Schedule of OTR which are also mapped with Chapter 84 and 85 of ITC HS Policy and shall be enforced under Scheme-X of the Bureau of Indian Standards (Conformity Assessment) Regulations, 2018.
Recent Update	<ul style="list-style-type: none">On 12 June 2025, MHI issued an amendment extending the timeline for implementation of the OTR to 01 September 2026.The Applicability for assemblies, sub-assemblies, and components will come into force from a separate date, which is yet to be notified by the government.
Exemptions	<ul style="list-style-type: none">Any machinery or electrical equipment, or their assemblies/sub-assemblies/components, already covered under any other Quality Control Order issued under Section 16 of the BIS ActGoods or articles manufactured domestically for exportConstruction Equipment covered under Central Motor Vehicle Rules, 1989
Applicable Standards	<p>The safety standards for machinery are organized into a three-tier structure to ensure comprehensive and specific safety requirements are met across various types of equipment</p> <ul style="list-style-type: none">Type A Standard: IS 16189:2018/ISO 12100:2010Type B Standard (generic safety standards): as per the Second ScheduleType C Standard (machine-specific standards): as per the Third Schedule
Key Issues	<ul style="list-style-type: none">Correct Classification of Products: Importers must verify their current HSN classifications, as these might have significant implications under the OTR. Products covered by the Order may be imported in SKD or CKD form, which can lead to ambiguity in determining whether they should be classified as final machines, assemblies, sub-assemblies, or components since no clarity has been given in relation to the ambit of “assembly”, “sub-assembly,” or “component.”Ongoing Monitoring Obligation: For certain products listed in the OTR, no specific Type C (machine-specific) standards have been currently prescribed. The OTR stipulates that future amendments or revisions to standards (including potential new Type C standards) will become applicable from a BIS-notified date, creating an ongoing monitoring obligation for the Industry Stakeholders.

* https://heavyindustries.gov.in/sites/default/files/2024-09/otr_gazette_notification.pdf

ELP Comments:

The implementation of the OTR is significant and the MHI in consultation with BIS has constituted a Technical Committee with seven sub-committees each focused on a specific industry, to monitor and streamline its implementation. It is advisable for the industry experts to actively monitor potential standards and their implications, and to represent relevant issues through the respective sub-committee lead associations. Importers are also encouraged to verify their HSN classifications to ensure compliance with the OTR.

For a more in-depth and nuanced perspective on any of the topics discussed in this edition, please don't hesitate to contact the authors of this update:

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