

/78707/2023

Instruction No. 28/2023

F.No. 401/67/2023-Cus-III
 Government of India
 Ministry of Finance, Department of Revenue
 (Central Board of Indirect Taxes & Customs)

Room No 229-A, North Block, New Delhi

Dated, ~~November, 2023~~
 12.12.2023

To

All Principal Chief Commissioners/ Chief Commissioners
 (Customs/Customs (Preventive) / Customs & Central Tax)
 All Principal Commissioners / Commissioners (Customs / Customs
 (Preventive)
 All Pr. Director Generals /Director Generals under CBIC

Madam/Sir,

Subject: Requirement BIS registration for import goods notified under the "Electronic and information Technology Goods (Requirement of Compulsory Registration) Order, 2012 and random sampling of LED products and control Gear for LED.- reg.

Reference is invited to the DGFT Notification No. 50/2015-2020 dated 08.01.2019, mandating requirement of registration with the BIS or specific exemption letter from MeitY for import of Notified goods under the "Electronics and information technology Goods(Requirement of Compulsory Registration) Order, 2012.

1.2 Further, DGFT Notification No. 32/2015-2020 dated 17.09.2020 inter-alia mandates for random sampling of LED products and control Gear for LED products notified under the "Electronics and information technology Goods(Requirement of Compulsory Registration) Order, 2012.

1.2 Further, MeitY OM No. 37(4)/2018-IPHW dated 11.12.2018 authorises the Customs Authority/officers at all ports/ICDs for deforming the non-compliant/unregistered goods notified under the "Electronics and information technology Goods(Requirement of Compulsory Registration) Order, 2012.

2. Board, on review of the above different practice in the implementation and to streamline the process including on sampling, directs as follows:

(a) Customs Officer shall check for BIS registration in the system in all cases.

(b) The Risk Management System shall randomly select the consignments for sampling and intimate the Customs Officer through Examination Instruction.

(c) The sample drawn shall be sent to BIS-recognized labs for testing of limited defined non-destructive safety parameters from the IS standard applicable to the product, as identified by MeitY from time to time. The updated data for IS wise list of recognized laboratories along with their complete address can be accessed by putting in the relevant Indian Standard number in the search by IS link on the website: www.lims.bis.gov.in.

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(d) In case of goods selected for sampling, Out of Charge (OOC) shall be given only if the sample has complied with the requirements of the standard for the defined parameters as per the test report given by the BIS-recognized Labs. if the sample drawn fails to meet the requirements of Standard, such consignments may be sent back or be destroyed at the cost of the importer as per extant rules/procedures

3. The difficulties, if any, in the implementation of this Instruction may be brought to the notice of the Board.

4. Hindi version follows.

Encl: as above

Yours faithfully,
Signed by Radhe Krishna

Date: 12-12-2023 13:28:50

Reason: Approved (Radhe Krishna)

Under Secretary to the Government of India

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To be Published in the Gazette of India Extraordinary Part-II, Section - 3, Sub-Section (ii)

Government of India
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Foreign Trade
Udyog Bhawan

Notification No. 50/2015-2020
New Delhi, Dated: 8 January, 2019

Subject: Import policy for electronics and IT Goods under Schedule – I (Import Policy) of ITC (HS), 2017.

S.O. (E): In exercise of powers conferred by Section 3 of FT (D&R) Act, 1992, read with paragraph 1.02 and 2.01 of the Foreign Trade Policy, 2015-2020, as amended from time to time, the Central Government hereby inserts the following Import Policy and Policy Condition for new Electronics and IT Goods under General Notes 2 (C):

"Import policy for electronics and IT Goods:

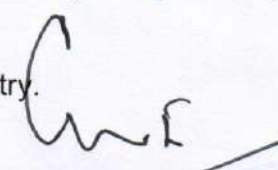
The import of Notified Goods under the "Electronics and Information Technology Goods (Requirement of Compulsory Registration) Order, 2012, as amended from time to time, will be allowed subject to registration with the Bureau of Indian Standards (BIS), or on specific exemption letter from Ministry of Electronics and Information Technology (MeitY) for a particular consignment, as per provisions of Gazette Notification SO No.3022 dated 11.09.2013. Accordingly, import of unregistered / non-compliant notified products as in CRO, 2012, as amended is "prohibited".

Import consignments without valid registration with BIS shall be re-exported by the importer failing which Customs shall deform the goods and dispose them as scrap under intimation to MeitY.

2. Further, the above is also inserted as Policy Condition No.2 under Chapter 84 and Policy Condition No.5 under Chapter 85 of ITC (HS), 2017, Schedule 1 (Import Policy).

3. **Effect of this Notification:** Import Policy on Notified Goods under Electronics and Information Technology Goods (Requirement of Compulsory Registration) Order, 2012, is laid down.

This issues with the approval of Minister of Commerce & Industry.


(Alok Vardhan Chaturvedi)
Director General of Foreign Trade &
Ex- officio Addl. Secretary to the Government of India
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[Issued from F.No.01/89/180/39/AM-13/PC-2 (A)/e 2261]

To be published in the Gazette of India Extraordinary Part-II, Section-3, Sub-Section (II)

Government of India
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Foreign Trade

Notification No. 32/2015-2020
New Delhi, Dated: 17th September, 2020

Subject: Insertion of Policy condition in Chapter 85 and 94 of ITC (HS), 2017, Schedule – I (Import Policy).

S.O.(E): In exercise of powers conferred by Section 3 of FT (D&R) Act, 1992, read with paragraph 1.02 and 2.01 of the Foreign Trade Policy, 2015-2020, as amended from time to time, the Central Government hereby adds a new policy condition in Chapters 85 and 94 of ITC(HS), 2017, Schedule-I (Import Policy).

2. A new policy condition is added as Policy Condition No. 7 in Chapter 85 and Policy Condition No. 1 in Chapter 94 of the ITC(HS), 2017, Schedule-I (Import Policy):

"For the LED products and DC or AC supplied control gears for LED modules as notified under the "Electronics and Information Technology goods (Requirement of Compulsory Registration) Order, 2012", sample(s) will be picked up on random basis from the randomly selected consignments and will be sent to BIS recognized Labs for testing of limited defined non-destructive safety parameters from the IS standard applicable on the product, as identified by MeitY from time to time. Further, for such consignments, clearance would be given by Customs to only those consignments where the randomly selected sample has complied with the requirements of standard for the defined parameters. However, if the sample drawn fails to meet the requirements of standard, such consignment will be sent back or will be destroyed at the cost of importer."

3. **Effect of the Notification:** A new Policy Condition is added in Chapter 85 and 94 of ITC(HS), 2017, Schedule-I (Import Policy) to enable random sampling of LED products and Control Gear for LED products notified under "Electronics and Information Technology Goods (Requirement of Compulsory Registration) Order, 2012".

This issues with the approval of Minister of Commerce & Industry.


17/09/2020
(Amit Yadav)
Director General of Foreign Trade &
Ex- officio Addl. Secretary to the Government of India

(File No. 01/89/180/39/AM-13/PC-2[A]/Part-II/E-20555)

No. 37(4)/2018-IPHW
Ministry of Electronics & Information Technology
6, CGO Complex, Lodhi Road, New Delhi-110003

Dated: - 11.12.2018

Subject: Authorization for deformation of non-compliant/unregistered notified goods under the Schedule of "Electronics and IT Goods (Requirement for Compulsory Registration) Order, 2012".

As per the provision of Section 2(a) (2) of Gazette Notification S.O. No. 2034(E) dated 5.07.2013, the Appropriate Authority has authorized the Customs Authorities/officers at all ports/ICDs for deforming the non-compliant/unregistered goods notified under the "Electronics and IT Goods (Requirement for Compulsory Registration) Order, 2012" which do not meet the labelling requirements prescribed by BIS beyond scrap and dispose them.

2. This issues with the approval of Secretary, MeitY.

*OK letter Issued on
12/12/2018*



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Shri L. Satya Srinivas
Joint Secretary (Customs)
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