

The Bureau of Energy Efficiency (Particulars and Manner of their Display on Labels of Electric Ceiling Type Fans) Regulations, 2022

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The Bureau of Energy Efficiency (Particulars and Manner of their Display on Labels of Electric Ceiling Type Fans) Regulations, 2022¹

Whereas the draft regulations namely, the Bureau of Energy Efficiency (Particulars and Manner of their Display on Label of Electric Ceiling Type Fans) Regulations, 2021, were published vide notification number BEE/S&L/Ceiling Fan/05/2019-20, dated the 2nd July, 2021 as required under sub-section (1) of Section 58 of the Energy Conservation Act, 2001 (52 of 2001), inviting objections or suggestions from persons likely to be affected thereby within the specified period of thirty days from the date of publication of the said notification in the Official Gazette;

And whereas Gazette copies of the said draft regulations were published in the aforesaid Gazette on 2nd July, 2021;

And whereas suggestions have been received with respect to the said draft regulations within the period aforesaid;

And whereas the suggestions received in this regard have been taken into consideration;

Now, therefore, 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 and clause (d) of Section 14 of the Energy Conservation Act, 2001 (52 of 2001), the Bureau, with the previous approval of the Central Government, hereby makes the following regulations, namely—

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 Electric Ceiling Type Fans) Regulations, 2022.

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

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

- (a) “Act” means the Energy Conservation Act, 2001 (52 of 2001);
- (b) “Electric Ceiling Type Fan” means an appliance notified under clause (b) of Section 14 of the Act;
- (c) “Family of models” means group of models for which all the performance parameters are same;
- (d) “Form” means a Form appended to these regulations;
- (e) “label” means any written, printed, marked, stamped or graphic matter affixed to, or appearing upon the Electric Ceiling Type Fan;
- (f) “label period” means the validity period of the service value under the energy consumption standard notified by the Central Government under clause (a) of Section 14 of the Act and in case the end period of the

1. The Bureau of Energy Efficiency, Noti. No. BEE/S&L/Ceiling Fan/05/2019-20, dated May 19, 2022 and published in the Gazette of India, Extra., Part III, Section 4, dated 19th May, 2022, pp. 26-48, No. 265

service value is not specified, it shall be deemed to be valid until a service value is specified by the Central Government;

- (g) "permittee" means a person or agency to whom permission has been granted to affix label under Regulation 7;
- (h) "Schedule" means the Schedule annexed to these regulations;
- (i) "star rating or star level" means the grade of energy efficiency displayed on the label of the Electric Ceiling Type Fan based on service value notified by the Central Government under clause (a) of Section 14 of the Act;
- (j) "trader or seller" in relation to any Electric Ceiling Type Fan means a person who sells or distributes such fans and includes shopkeeper, trader, manufacturer and permittee who has been given permission to affix label on such Electric Ceiling Type Fans.

(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 Electric Ceiling Type Fan, the following particulars shall be displayed on its label, namely—

- (a) the logo of the Bureau of Energy Efficiency;
- (b) name of manufacturer or importer and brand;
- (c) trade name and number;
- (d) model and year of manufacturing or import;
- (e) unique series code;
- (f) power input in watts ;
- (g) air delivery in cu m/min;
- (h) service value in cu m/min/Watts;
- (i) star level of Electric Ceiling Type Fan ; 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 Electric Ceiling Type fan 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 shall ensure that—

- (a) the electric ceiling type fan put on sale shall display revised star level and revised label period synchronizing with the revised energy consumption standards and the manufacturing year of the Electric Ceiling Type fan shall also be in synchronization with such revised energy consumption standards, and shall not produce the Electric Ceiling Type fan with the previous energy consumption standards;

- (b) all preparatory steps including awareness of the dealers, retailers and consumers, requisite publicity for their education shall be well planned and taken three months in advance of the date of such commencement, under these regulations.

5. Manner of display of label.—(1) There shall be a label on every electric ceiling type fan which shall be displayed at the point of sale and such label shall be affixed on the electric ceiling type fan in the following manner, namely—

- (a) Self-adhesive or Printed label affixed on packaging;
(b) Self-adhesive label affixed on motor.

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

(2) For the purpose of obtaining permission of the Bureau under sub-regulation (1), an application for registration shall be made for every brand separately as specified in Form I, accompanied by a label security deposit of one lakh rupees, payable online or by any other acceptable electronic mode of payment:

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

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

- (a) an application fee of two thousand rupees per model, payable online or by any other acceptable electronic mode of payment;
(b) documents specified in Form II.

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 operation manual on standards and labelling from the date of such receipt, subject to such terms and conditions as are specified in Regulation 8,—

- (a) register the brand in Form III or in electronic form; or
(b) grant permission for affixing label on electric ceiling type fan in Form IV or in electronic form.

(2) The Bureau shall maintain a register in Form V and enter the name of the 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 of the Act is in force.

(4) An application for renewal of permission may be made by the permittee six months before its expiry and shall be accompanied by a fee of rupees one thousand payable online or by any other acceptable electronic mode of payment:

Provided that no application for renewal shall be allowed if it is made one month before its expiry.

(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 IV.

(7) The permittee who seeks permission for continuance to affix label on the existing model of the electric ceiling type fan from the date from which the revised star level comes into force, shall submit only a declaration in Form VI.

(8) The permittee shall seek permission to affix label afresh, if a new model of the electric ceiling type fan is planned to be launched synchronising with the revised star level, an 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,—

- (a) comply with the energy consumption standards for electric ceiling type fan notified under clause (a) of Section 14 of the Act;
- (b) affix label only on such model of electric ceiling type fan for which permission has been granted;
- (c) affix label on the electric ceiling type fan at the cost of the permittee;
- (d) ensure that the star level displayed on the label of electric ceiling type fan shall be maintained at all time;
- (e) pay the label fee as specified in Regulation 9;
- (f) 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 closure of each quarter of the financial year;
- (g) furnish to the Bureau an updated list of authorised distributors, dealers, retailers, sellers appointed to sell its 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 Operation Manual on Standards and Labelling.

9. Label fee.—(1) Every permittee shall pay to the Bureau a label fee of one rupee for each label affixed on the electric ceiling type fan;

(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 shall recover the amount due with interest thereon at ten per cent. per annum from the label security deposit paid under sub-regulation (2) of Regulation 6 and if complete labelling fees is not recovered within one year of the last date of submission, the Bureau shall cancel the labels granted to the permittee and publish

his name in the national or regional daily newspapers and in electronic means as a defaulter.

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

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 electric ceiling type fan 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 purposes of verification, the Bureau or its designated agency may pick up samples at random 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 electric ceiling type fan in an independent laboratory duly accredited by the National Accreditation Board for testing and calibration laboratories,—

- (a) the Bureau shall issue a notice to the permittee for carrying out such testing and the complainant shall be called upon to deposit such expenses related to testing, transportation and other incidental expenses with the Bureau, within such time as may be determined by the Bureau;
- (b) if the sample drawn under challenge testing fails, the permittee shall reimburse all expenses towards the cost of sample, transportation of sample and the testing charges to the Bureau and the Bureau shall refund the said expenses to the complainant; and
- (c) where the equipment passes the challenge test, then the expenses deposited by the complainant shall stand forfeited.

(4) Where, upon a complaint received under sub-regulation (1), if the permittee fails to deposit such expenses referred to in sub-regulation (3) within such time, the Bureau shall—

- (i) continue the verification by challenge testing the electric ceiling type fan referred to in sub-regulation (3); and
- (ii) the processing of application received under Regulation 6 may be kept in abeyance till such expenses are deposited.

(5) Where samples of electric ceiling type fan used for testing fails, the test during suo motu testing or challenge testing, the Bureau shall offer the permittee another opportunity and the Bureau shall conduct a second test with twice the quantity of electric ceiling type fan used in the first test in an independent test laboratory duly accredited by the National Board of Accreditation for testing and calibration laboratories at the cost of the permittee.

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

- (a) direct the permittee in Form VII, under intimation to all the State Designated Agencies, that the permittee shall, within a period of two months,—
 - (i) correct the star level displayed on the label affixed on the packaging and motor of electric ceiling type fan 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 in any national or regional daily newspaper and in any electronic means or in any other manner as it deems fit within two months, the name of the permittee, brand name, model name or model number, logo and other specifications;
- (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 VIII to the 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 to be 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 (7) along with necessary documents to all the State Designated Agencies for the purpose of taking action under Section 17 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 (6), 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 to in clause (a) of sub-regulation (7) for consideration and taking action under clause (c) of Section 14 of the Act by the Central Government;

- (c) publish in any national or regional daily newspaper and in any electronic or in any other manner as it deems fit within two months, the name of the permittee, brand name, model name or model number, logo and other specifications;
- (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) fails to comply with the directions issued under Regulation 11:

Provided that no permission shall be cancelled unless the permittee has been given an opportunity being heard in the matter.

SCHEDULES

[For Schedules *see* SCC OnLine]
