

Amendments to Import Policies due to Re-Notification of Electronics and IT Goods Registration Order 2021

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LIVE COURSE

on **APPEAL, PLEADING, AND DRAFTING UNDER GST**

Course Schedule

Session dates	Time
28-05 2024	05:00 PM – 07:00 PM
29-05 2024	05:00 PM – 07:00 PM
30-05 2024	05:00 PM – 07:00 PM

Fee: Rs 1,599 + GST

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Highlights of the course :

1. Completely based on Practical Approach
2. Discussion on Real Case Studies
3. Multiple Practical Case study will be provided for Practice
4. Attractive E – Guide will be provided
5. Discussion on Relevant Provision of law in Practical Manner

The Government of India, through the Ministry of Commerce & Industry and the Directorate General of Foreign Trade (DGFT), has issued Notification No. 13/2024-25-DGFT on 20th May 2024, announcing amendments to the Foreign Trade Policy (FTP) 2023 and the ITC HS 2022 Schedule 1 Import Policy. These changes are made under the authority granted by Sections 3 and 5 of the Foreign Trade (Development & Regulation) Act, 1992, and are intended to align the policy with the re-notified “Electronics and Information Technology Goods (Requirement of Compulsory Registration) Order, 2021” under the BIS Act 2016.

The primary amendments include changes to Para 2.31(1 (b)) of the FTP 2023, which now specifies that all electronics and IT goods notified under the 2021 Order are classified as restricted for import. This restriction means that these goods can only be imported with a restricted import authorization and must comply with the conditions set forth in the 2021 Order. Importing unregistered or non-compliant products under this order is explicitly prohibited.

In addition, Para 2 (C) of the General Notes regarding the Import Policy of ITC (HS) 2022 Schedule-I has been revised. This amendment emphasizes that the import of both new and second-hand electronics and IT goods, whether refurbished, repaired, or reconditioned, is prohibited unless they are registered with the Bureau of Indian Standards (BIS) and meet the BIS labelling requirements. Alternatively, an exemption letter from the Ministry of Electronics and Information Technology (MeitY) can allow

importation of specific consignments. Non-compliant goods must be re-exported, or the customs authorities will dispose of them as scrap, with the Ministry of Electronics and Information Technology (MeitY) being notified.

Further, Policy Conditions No. 2 of Chapter 84 and No. 5 of Chapter 85 of the Import Policy (Schedule 1) ITC HS 2022 have been updated. These conditions now mandate that any electronics and IT goods notified under the 2021 Order must be registered with the BIS and comply with BIS labelling requirements to be imported. Goods not meeting these requirements must either be re-exported or disposed of as scrap by the customs authorities, who will inform MeitY.

Policy Condition No. 7 of Chapter 85 and Policy Condition No. 1 of Chapter 94 have also been amended. These changes focus on LED products and DC or AC supplied control gears for LED modules. Random samples from these products will be selected and sent to BIS recognized laboratories for testing against specific non-destructive safety parameters identified by MeitY. Only consignments that pass these safety standards will be cleared by customs. If a sample fails, the entire consignment must be returned or destroyed at the importer's expense.

The notification underlines the strict measures being adopted to ensure that imported electronics and IT goods comply with the updated safety and registration requirements. These measures are part of the broader strategy to enhance consumer safety and ensure that all imported goods meet Indian standards as defined by BIS and other regulatory bodies.

In essence, the amendments aim to tighten control over the importation of electronics and IT goods, ensuring they meet the rigorous standards set by the Indian government. By doing so, the government seeks to protect consumers, promote the use of certified products, and maintain high safety standards in the market. The policy changes reflect a commitment to regulatory compliance and the enforcement of quality standards for imported goods.

This notification has been issued with the approval of the Minister of Commerce & Industry, ensuring that all stakeholders, including importers and customs authorities, adhere to the new regulations. These changes are effective immediately, reinforcing the importance of compliance with the re-notified "Electronics and Information Technology Goods (Requirement of Compulsory Registration) Order, 2021."

Government of India
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Foreign Trade
Vanijya Bhawan, New Delhi

Notification No. 13/2024-25-DGFT | Dated : 20th May, 2024

Subject: Amendment in Para 2.31 of the Foreign Trade Policy, 2023 and ITC HS 2022 Schedule 1 Import Policy – reg.

5.0. (E): In exercise of powers conferred by Section 3 and Section 5 of Foreign Trade (Development & Regulation) Act, 1992, read with paragraph 1.02 and 2.01 of the Foreign Trade Policy (FTP), 2023, as amended from time to time, the Central Government hereby notifies following amendments in FTP, 2023 and in Schedule-I of ITC (HS), 2022 as under with immediate effect:

(1) Para 2.31(1 (b) of the Foreign Trade Policy, 2023 is amended to read as follows:

No.	Categories of Second-Hand Goods	Import Policy	Conditions, if any
1(b)	All electronics and IT Goods notified under the Electronics and IT Goods (Requirements of Compulsory Registration) Order, 2021 as amended from time to time.	Restricted	(i) Importable against a restricted import authorization, subject to conditions laid down under Electronics and IT Goods (Requirements of Compulsory Registration) Order, 2021 (as amended from time to time). (ii) Import of unregistered/non-compliant notified products as in Electronics and IT Goods (Requirements of Compulsory Registration) Order, 2021 (as amended from time to time) is "Prohibited"

(2) Para 2 (C) of the General Notes Regarding Import Policy of ITC (HS), 2022 Schedule-I Import Policy is amended to read as follows:

(C) Import policy for electronics and IT Goods: "The import of Goods (new as well as second hand, whether or not refurbished, repaired or reconditioned) notified under the "Electronics and Information Technology Goods (Requirement of Compulsory Registration) Order, 2021, as amended from time to time, is prohibited unless they are registered with the Bureau of Indian Standards (BIS) and comply to the 'Labelling Requirements' published by BIS, as amended from time to time', 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. **1929 dated 26.04.2023**. The importer shall reexport such prohibited Goods reaching Customs Ports else the Customs Authorities shall deform the goods beyond use and dispose of the goods as scrap under intimation to Ministry of Electronics and Information Technology (MeitY).”

(3) Policy condition no. 2 of chapter 84, Policy condition no. 5 of chapter 85 of Import Policy (schedule 1) ITC HS 2022 is amended to read as follows:

Import policy for electronics and IT Goods: The import of Goods (new as well as second hand, whether or not refurbished, repaired or reconditioned) notified under the Electronics and Information Technology Goods (Requirement of Compulsory Registration) Order, **2021**, as amended from time to time, is prohibited unless they are registered with the Bureau of Indian Standards (BIS) and comply to the Labelling Requirements published by BIS, as amended from time to time, 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. **1929 dated 26.04.2023**. The importer shall reexport such prohibited Goods reaching Customs Ports else the Customs Authorities shall deform the goods beyond use and dispose of the goods as scrap under intimation to Ministry of Electronics and Information Technology (MeitY).

(4) Policy condition no. 7 of Chapter 85 and Policy Condition no. 1 of chapter 94 of Import Policy (schedule 1) ITC HS 2022 is amended to read as follows:

“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, **2021**”, 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 Ministry of Electronics and Information Technology (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.”

Effect of the Notification: Para 2.31(1 (b)) of the Foreign Trade Policy, 2023, Para 2 (C) of the General Notes regarding Import Policy and Policy conditions 2 of chapter 84, Policy Condition no. 5 & 7 of chapter 85 and Policy Condition no. 1 of chapter 94 of Import Policy (schedule 1) ITC HS 2022 have been amended in light of re-notification

of “Electronics and Information Technology Goods (Requirement of Compulsory Registration) Order, 2012 as Electronics and Information Technology goods (Requirement of Compulsory Registration) Order, **2021** under BIS Act 2016.

This is issued with the approval of Minister of Commerce & Industry.

(Santosh Kumar Sarangi)
Director General of Foreign Trade &
Ex-officio Addl. Secretary to Govt of India
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