

## Market surveillance of India's Standards and Labelling (S&L) program

### Introduction

CLASP is an international non-profit organization working to improve the environmental and energy performance of the appliances and related systems we use every day and accelerating our transition to a more sustainable world. CLASP develops and shares transformative policy and market solutions to improve energy efficiency of appliances and equipment in collaboration with global experts and local stakeholders. Since 1999, CLASP has worked globally to pursue every aspect of appliance energy efficiency, from helping structure new policies to evaluating existing programs.

CLASP has long supported the development and implementation of appliance efficiency policies through standards and labelling (S&L) in India. CLASP's primary focus has been providing technical support to the [Bureau of Energy Efficiency \(BEE\)](#), nodal agency for the [S&L program](#), including product-specific market studies, benchmarking of minimum energy performance standards, label design and implementation, test lab capacity development, and general program support.

### Background

The Government of India set up Bureau of Energy Efficiency (BEE) in March 2002 under the provisions of the Energy Conservation Act (EC Act), 2001 with the primary objective of promoting efficient use of energy and energy conservation. Under the provisions of this Act, Standards and Labelling (S&L) is one of the major thrust areas for improving energy efficiency of appliances and equipment. Launched on May 2006, the key objective of the S&L program is to provide consumers an informed choice about energy saving and thereby the cost saving potential of appliances and equipment. The program currently includes 30 products, of which 10 are under mandatory labelling program. A key requirement of the S&L program is that the products registered under the program should display the correct label and distinctly visible at the point of sale.

Robust Monitoring, Verification and Enforcement (MVE) is an integral part of S&L programs as it minimizes the risk of false and inaccurate declarations of energy performance on the product, thereby ensuring integrity of the labelled products and but also build consumer confidence on the program. Market surveillance, one of the key components of MVE process, is critical to ensure that all the labelled products comply with the requirements set out in the relevant product schedule for voluntary products and notification for mandatory products. It encompasses several steps, some of the salient steps are mentioned below-

- The products in the market covered by mandatory labelling are registered and display the BEE star label.
- Fake/spurious labels are not being used on products.
- BEE star labels are displayed correctly on appliances as specified in the relevant product regulation.
- Energy efficiency levels and other product characteristics mentioned on the label are consistent with the registered model in the BEE's registration database; and
- Products with expired label are not available for sale
- Level of understanding of retailers about labelled appliances

A holistic compliance framework bolsters the credibility of government energy efficiency programs, protects consumers, and creates a level playing field for suppliers of energy-efficient and quality products. Therefore, CLASP plans to engage a consultant to conduct label

verification for the mandatory appliances covered in the S&L program in collaboration with the relevant state designated agencies (SDA) in 5 states.

### Objective:

The key objectives of the proposed activity include:

- To assess the level of compliance about the display of label on the products under S&L program,
- Establish the methodology and framework for conducting label verification in the states, and
- Capacity building of State Designated Agencies (SDA) personnel to implement MV&E activities on a continual basis.

### Scope of Work

The Consultant will be responsible for successfully executing the following activities and tasks as part of the study. Execution of all activities and tasks must be conducted in close consultation with CLASP.

In store, surveillance will be conducted through physical verification of label on the products available in various sales outlets/stores/retailers in five selected states in India. The states include from five regions, namely Haryana, Orissa, Maharashtra, Assam, and Karnataka. The verification shall include checking proper display of the label on the product, packaging and promotional material, manufacturers' catalogue, etc. available at the sales outlets and analysing awareness levels of the retailer/supplier/dealers about the purpose, accurate presence of labels and correct placement of the label on the product. Physical verification of the products in store to ensure proper display of label and promotional materials and verification team should be carried out along with the concerned SDA officials. Interview of sales staff/store owner to assess their awareness levels, perception towards labelling program shall be conducted using a structured questionnaire, if possible.

The surveillance will be conducted in the following types of retailers are department stores, specialist retailers, electrical stores, chain of stores, and franchise stores:

- a. Single and multiband (chain) stores
- b. Smaller independent stores

The label verification will focus on major household electrical appliances covered under mandatory labelling program of BEE, as shown in Table 1 below:

*Table 1: List of mandatory appliances to be covered under labels verification study*

Mandatory phase	
Room air conditioners (window and split type) -fixed speed	Frost free Refrigerators
Room air conditioners (window and split type)-Variable speed	Direct cool refrigerators
Room air conditioners (Cassette, Floor Standing Tower, Ceiling Corner AC)	Tubular fluorescent lamps
Storage water heater	Color television (other UHD TV)
LED lamps (Self Ballasted)	

### Task I: Develop label verification plan

Develop verification plan required to cover for nine specified appliances - sample size shall be 300 in each city drawn from five states as per the detail provided in the following table (Table 2). All information collected during the label verification process shall be using a structured questionnaire duly approved by BEE. In addition to information on the label, the questionnaire shall contain the information about the retailer details, city and state and the date of visit to the retailer premises.

Table 2: List of identified states and cities with sample size to be covered under labels verification

Zone and State	Major cities	Sample size for Nine appliances
North Zone- Haryana	Faridabad	300
	Gurugram	300
	Tier -3 city*	300
	Tier -3 city	300
North-eastern Zone- Assam	Guwahati	300
	Silchar	300
	Tier -3 city	300
	Tier -3 city	300
East Zone- Orissa	Bhubaneswar	300
	Cuttack	300
	Tier -3 city	300
	Tier -3 city	300
South Zone- Karnataka	Bengaluru	300
	Hubballi	300
	Tier -3 city	300
	Tier -3 city	300
West zone- Maharashtra	Mumbai	300
	Pune	300
	Tier -3 city	300
	Tier -3 city	300
Total number of samples for 5 states- 20 cities		6000

\* Tier -II cities will be selected which are in rural area and shall finalize in consultation with hired agency.

1.2 Preparation of questionnaire and checklist for retailers with parameters to be checked to facilitate data collection in the identified stores.

1.3 Field visits to be planned in consultation with SDAs personnel and coordinate with respective SDA personnel while developing verification plan and the field visits. Also, SDA official shall accommodate hired agency to support to label verification at the stores as and when required.

1.4 Coordinate with identified retailers/stores/dealers in all cities for smooth implementation of the market surveillance.

### Task 2: Verification of labelled products

2.1. Fair understanding of national standard and labelling program, scope of products covered, mandatory regulations, established policies and inspecting rules for label verifications, large- and small-scale manufacturers registered including models details of each appliance.

2.2. Collect the label details of 6000 sample for nine appliances in 20 selected cities in prescribed questionnaire -capturing all relevant data in the online tools related to the label that includes star level, energy performance data, label period, appliance type, product name/description, model number, brand, year of manufacturing and other technical details along with snapshot of the product along with the star label.

2.3. Hired agency to visit at least 10 retailers or stores in each city for label verifications and shall try to cover all the nine mandatory products in each retailer/store/dealer. Efforts shall be made to ensure that the label verification are not conducted on the same model while carrying out the label verification process across the states.

2.4. Shall also identify any models covered in (nine) mandatory products are sold without star labels, fake labels, improper representation of labels, expired labels and any discrepancies as specified in mandatory regulations.

2.5. Assess role of manufacturers and retailers/stores/dealers in affixing the labels on the mandatory products and procedure adopted while replacing labels during upgradation of energy efficiency policies.

### **Task 3: Developing report and analysis of label verifications**

3.1. The verified 6000 models shall be cross checked with BEE registration and database to identify the level of compliance, issues with labelling identified included damaged labels, no labels, obscured labels, and wrong labels on products.

3.2. Provide comprehensive analysis of overall compliances levels for each verified label in accordance with product type, national, state, and city wise.

3.3 Develop report covering overall market surveillance approach and methodology, existing regulations/policies, review the data based on compliance and non-compliance levels against the existing regulation and any scope of revising or amending the regulation to bridge the gap, analysis of market findings. If possible, capture awareness level of retailers, dealers, vendors, wholesalers, and in addition, assess the awareness level of the sales personnel employed in various sales outlets at least in 2 to 3 states.

3.4 Provide detailed recommendations to strengthen overall label verification mechanism and develop framework/guidelines for a robust and effective market surveillance mechanism and its implementation by SDAs in the states on a continual basis.

### **Task 4: Organize two regional workshops**

4.1. Organize two regional workshops in Gurugram, Haryana and Mumbai, Maharashtra (tentatively) to share the study findings for 50 delegates in each workshop.

4.2 Make all arrangement and provide all necessary support to organize the workshops in coordination with BEE, SDAs, and CLASP team.

4.3 Prepare materials/presentations, brochures and print 80 copies of brochures and findings of market survey.

4.4 Prepare proceeding of these workshops highlighting all the discussion and the workshop recommendation

#### **Roles and Responsibilities of CLASP, BEE, and SDAs:**

- CLASP to engage an external agency to carry out a detail market survey on label verification on BEE labelled products in five states, provide technical support, supervision and monitoring for execution of this project, work closely with BEE and SDAs as per requirement. Submission of final market survey report on label verification to BEE along with study findings, analysis, and recommendations for strengthening the existing policies.
- BEE to provide overall guidance, support for implementation of this study and reach out to SDAs in five states to nominate officials to support label verifications. Also, BEE provide official communications or letter to SDAs and hired agency for conducting label verifications in respective states/cities.
- State Designation Agencies shall nominate their officials having adequate and knowledge and experience about the BEE labelling program and provide all the necessary support during the label verification process through field visit and accompany hired agency while conducting label verification at retailers/stores/dealers.

#### **Timeline and key milestones**

The project is expected to commence in end of March 2022 and must be completed by end of October 2022. Key milestones are listed below:

- March 2022 – Kick-off meeting on Labels Verification with BEE, SDAs, CLASP and hired agency
- Mid of April 2022 – Develop the inspection plan – sample size, cities, and state wise
- Mid of July 2022 – Submission of the draft label verification report- including analyses, findings, and non-compliances details
- August 2022 – Submission of final label verification report to CLASP with recommendations and roadmap for strengthening compliances work
- September 2022 – Organize two regional workshops in two states to share study findings
- October 2022 – Develop proceedings of the workshops and submission of report to CLASP

#### **Key Qualifications**

- Knowledge of BEE's Standard and Labeling program and understanding of energy efficiency policies
- Experience and demonstrated ability to conduct stakeholder consultations and consumer surveys, especially in States for samples size of 1000.
- Experience in understanding of appliance and equipment standards and labeling policies and their implementation and enforcement
- Demonstrated success of working with retailers and consumer groups, as well as with Indian and National policy officials and market surveillance bodies.

#### **Evaluation Procedure**

A committee appointed by CLASP will evaluate proposals received from respondents. Selection of qualified companies or organizations will be based upon the following criteria:

- **Technical Evaluation Factors**
- **Cost Evaluation Factors**

All bids will be evaluated and ranked using Quality and Cost Based Selection (QCBS), with 80 percent of the score accorded to the technical proposal, and 20 percent to the financial proposal.

### **Submittal**

#### **Register as a Consulting Partner**

Interested parties must [register as a CLASP Consulting Partner](#).

#### **Fill Out Pre-Qualification Questionnaire (PQQ)**

All candidates must [fill out the PQQ](#). The PQQ is a thorough due diligence screening aimed at gathering legal and financial information on prospective partners/vendors. If questions are not applicable, please type "N/A" and go to the next question. While the form can be saved, we recommend completing it in one sitting to avoid potential complications. We will be notified once you submit the PQQ.

Organizations that have already completed the PQQ do not need to complete it again unless the structure of the business has changed. If you are unsure, please email Andrea Testa ([atesta@clasp.ngo](mailto:atesta@clasp.ngo)) to determine next steps.

#### **Submit Technical and Financial Proposals**

Interested parties should submit separate technical and financial proposals electronically, in English, via [this form link](#) (preferably in PDF format). The files should be named as per the following example:

- **[CONTRACTOR\_NAME] \_Technical Proposal\_ RFP \_21\_03\_2022\_Market Surveillance**
- **[CONTRACTOR\_NAME] \_Financial Proposal\_ RFP \_21\_03\_2022\_Market Surveillance**

The deadline for application is **March 21, 2022**. Proposals must be submitted via the form link above. Proposals must be submitted online via the CLASP website, filling out all the requested information and attaching both a technical and financial proposal. The length of the proposal should not exceed 20 pages.

The technical proposal should include:

- **Detailed approach and methodology for the design, implementation, and management of the project.**
- **Detailed timeline for all project activities, tasks, milestones, and deliverables for the project within the time frame indicated above.**
- **Background and experience of conducting similar activities especially on market surveillance or evaluation of projects.**

- **A summary of qualifications and experience of key personnel that will execute the project.**

CVs and related summaries of experience and qualifications of proposed project team staff should be included in an Annex and should not exceed 10 pages.

The financial proposal (in USD) shall include overall amount for implementation of market surveillance for label verification of standard and labeling with breakup of the personnel input day costs, number of input days for each personnel and team wise, travel and accommodation, organizing two workshops, printings, and any other expenses. Also provide incremental cost separately if survey is conducted in one additional state (i.e., in 6 states instead of 5 states).

All questions may be addressed to Ms. Moumita Chandra, at [mchandra@clasp.ngo](mailto:mchandra@clasp.ngo) . The last date for submission of questions related to this RFP is March 8, 2022. We request all inquiries be made by e-mail and not by phone.

Prebid meeting has been scheduled on March 8, 2022 (11:30 am) to discuss about any queries related to scope of work and the study. The meeting can be joined through Zoom link provided here: <https://clasp.zoom.us/j/93767306750>

*CLASP is an equal opportunity employer that celebrates diversity and are committed to creating an inclusive environment for all employees. CLASP's goal is to be a diverse workforce that is representative, at all job levels, of the citizens we serve. CLASP complies with all federal, state and local employment law in the countries we operate and is committed to providing equal opportunity for all employees and applicants without regard to race, color, religion, national origin, sex, age, marital status, sexual orientation, gender identity or expression, pregnancy, disability, political affiliation, personal appearance, family responsibilities, matriculation, genetic information, military or protected veteran status, credit information or any other characteristic protected under federal, state or local law.*

*Each person is evaluated based on personal skill and merit. CLASP's policy regarding equal employment opportunity applies to all aspects of employment, including recruitment, hiring, job assignments, promotions, working conditions, scheduling, benefits, wage and salary administration, disciplinary action, termination, and social, educational and recreational programs.*