



REGULATORY

Mandatory Migration to IS/IEC 62368-1:2023: Critical Compliance Requirements for Extended Reality Products in India

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The regulatory framework governing electronics and information technology goods in India has undergone a significant transformation with the inclusion of Extended Reality Products under the compulsory registration regime. The Ministry of Electronics and Information Technology, through notification S.O. 4997(E) dated 29 October 2025, amended the Electronics and Information Technology Goods (Requirement of Compulsory Registration) Order, 2021, notifying IS/IEC 62368-1:2023 as the mandatory safety standard for Audio/Video, Information and Communication Technology Equipment. This standard supersedes IS 13252 (Part 1):2010 and IS 616:2017, and has been made applicable to Extended Reality Products encompassing Augmented Reality, Virtual Reality, Mixed Reality, and associated immersive technologies at Serial No. 65 of the Order. The Bureau of Indian Standards issued implementation guidelines on 09 March 2026, establishing a concurrent running period that terminates on 01 May 2026, creating an unprecedented regulatory urgency for industry stakeholders.

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The Concurrent Running Mechanism

The concurrent running provision permits parallel validity of old and new standards until 01 May 2026, effectively compressing the compliance timeline to merely six weeks from guideline issuance. Beyond this deadline, no licence shall remain operative without IS/IEC 62368-1:2023 compliance. This temporal limitation carries profound legal consequences. The mandatory nature of this transition is underscored by the absence of any grace period or phased implementation pathway.

For existing licensees, the guidelines prescribe a structured migration pathway requiring submission of complete test reports from Bureau-recognized laboratories for all lead models through the Standard Revision, Amendment, or Essential Requirement provisions in the licensee portal. Licensees must additionally provide a formal undertaking affirming IS/IEC 62368-1:2023 implementation across all existing series models, referencing the Bureau's series guidelines. This undertaking operates as a legally binding representation, with misrepresentation exposing the licensee to regulatory penalties including licence cancellation, prosecution, and civil liability. Failure to complete actions by 01 May 2026 authorizes the Bureau to cancel licences or delete specific models from scope. Upon successful compliance demonstration, the Bureau issues a confirmation letter serving as prima facie evidence for market surveillance, customs clearance, and contractual purposes.

Regime for New Applicants

New applicants face bifurcated pathways contingent upon application status. Applications with samples already submitted or test reports issued under superseded standards may proceed under old standards. Applications recorded subsequently may elect processing under either old standards with mandatory future compliance obligations, or immediate processing under IS/IEC 62368-1:2023. This election is circumscribed by the absolute deadline of 01 May 2026 for old standard processing, beyond which no licence shall be granted under IS 13252 (Part 1):2010 or IS 616:2017. Applicants selecting old standard pathways must execute a formal declaration committing to implement IS/IEC 62368-1:2023 by the deadline, operating as a contractual undertaking breach of which grounds regulatory sanctions. The Bureau explicitly encourages direct IS/IEC 62368-1:2023 application to minimize transitional complexity.

Scope Modifications and Licence Management

Existing licensees seeking scope modifications may process requests under old standards only until the earlier of voluntary switchover to IS/IEC 62368-1:2023 or 01 May 2026. This creates strategic tension wherein licensees must assess modification value against compressed timelines and resource requirements. The "whichever is earlier" formulation ensures proactive compliance does not disadvantage licensees while preventing indefinite reliance on superseded standards through serial modifications.

The digitized submission mechanism through licensee portals simplifies document management and creates enforcement audit trails. Licensees must ensure technical compatibility of test reports with portal validation protocols, as documentation deficiencies may consume the limited compliance window. Early submission is advised as risk mitigation given anticipated application volume and Bureau processing capacity constraints.

Commercial Implications

Commercial implications extend beyond immediate compliance costs to supply chain management, inventory valuation, and contractual relationships. Products manufactured under valid pre-deadline licences may continue sale, but no new manufacturing can occur post-deadline without IS/IEC 62368-1:2023 certification. This manufacturing cutoff creates inventory management challenges requiring careful production ramp-down against market demand. Contractual representations regarding compliance must be reviewed as warranties may be triggered by regulatory non-conformity rendering products unsaleable.

Enforcement Architecture

The enforcement framework empowers the Bureau and authorized agencies to inspect, test, and seize non-compliant products, with penalties under applicable laws. Licence cancellation or model deletion post-deadline operates within this broader framework, providing administrative remedies supplementing judicial proceedings. Operating without valid registration exposes entities to criminal liability under the Bureau of Indian Standards Act, 2016. The strict liability nature of compulsory registration, admitting no defence of ignorance or good faith, underscores the imperative of timely compliance.

The regulatory classification of Extended Reality Products reflects sector maturation and market significance. The inclusion of “etc.” in the category description suggests intentional breadth capturing emerging immersive technologies, creating interpretive uncertainty requiring conservative legal judgment.

Conclusion

The regulatory transition mandated by the Bureau of Indian Standards represents a decisive inflection point for India’s Extended Reality Products industry. The migration from superseded standards to IS/IEC 62368-1:2023, operationalized through a compressed six-week concurrent running period, imposes substantial technical, administrative, and financial burdens. The absence of transitional grace periods, severity of enforcement mechanisms including licence cancellation, and absolute nature of the 01 May 2026 deadline create a zero-tolerance compliance environment. Structured pathways for existing licensees, new applicants, and scope modifications provide regulatory clarity defining narrow parameters for urgent industry action. As the deadline approaches, the sector must mobilize resources and execute compliance strategies with precision, recognizing that regulatory access to the Indian market hangs in the balance. Successful navigation positions compliant entities for sustainable participation under a modernized regulatory framework serving the statutory objective of consumer safety through contemporary standards.

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