

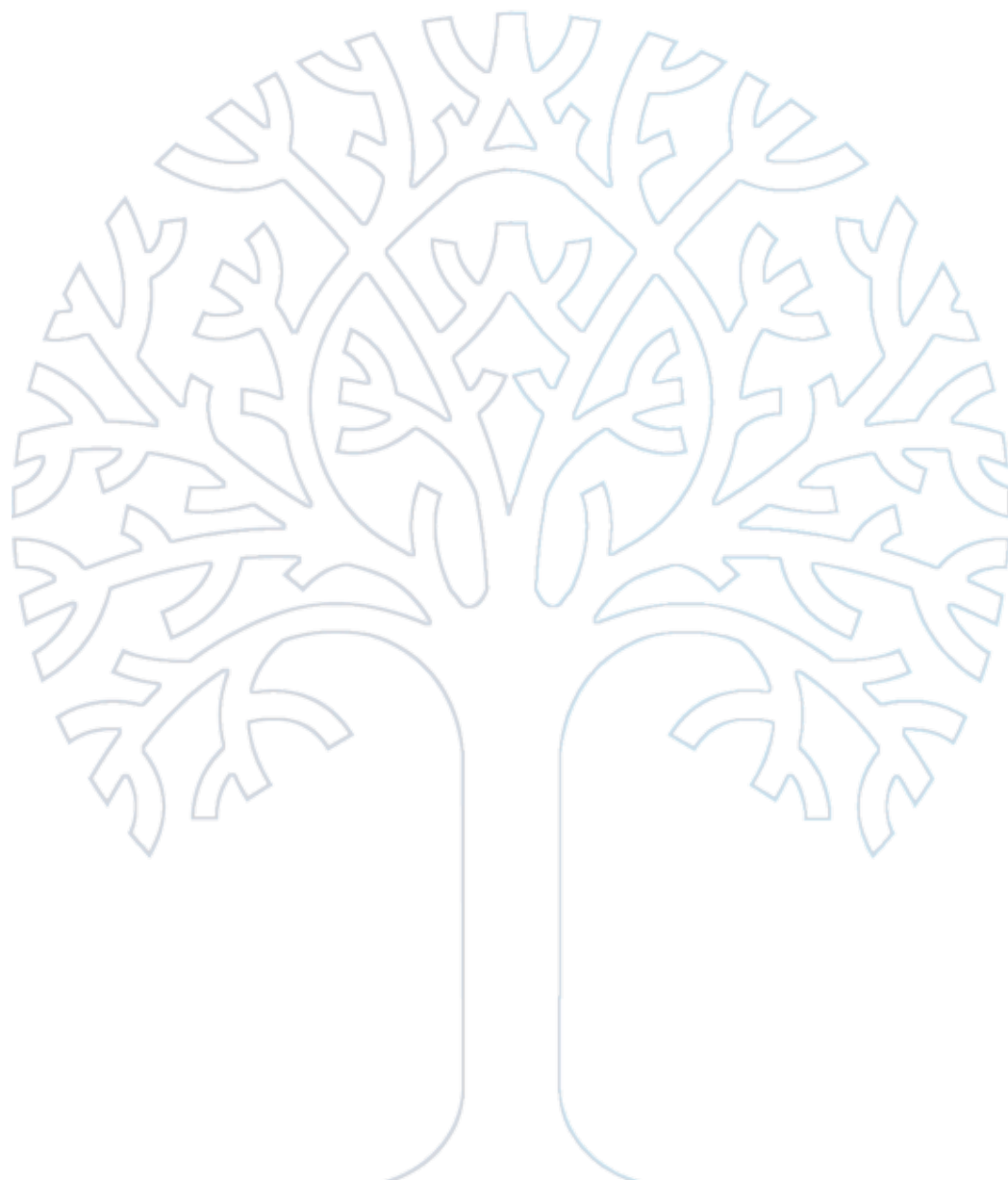


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exceeding expectations

JANUARY 2025 / Issue – 7

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# BIS amicus

A monthly e-newsletter on developments related  
to Bureau of Indian Standards (BIS)

**Lakshmikumaran & Sridharan Attorneys**

India

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# News Nuggets

## BIS celebrates its 78th Foundation Day

On 6 January 2025, BIS celebrated its 78<sup>th</sup> Foundation Day in New Delhi. At the event the Union Minister of Consumer Affairs, Food and Public Distribution and New & Renewable Energy emphasised on the Indian government's vision of 'Zero Defect, Zero Effect' and the guiding principles of 'Sabka Saath, Sabka Vishwas, Sabka Vikas and Sabka Prayas'.

It was highlighted that till date; more than 23,500 Indian Standards have been enforced by BIS whereof 186 QCOs have been issued to cover 760+ products under the ambit of mandatory certification. Further, over 44.28 crore articles of gold, jewellery/ artefacts have been hallmarked so far. The Union Minister said that in the light of rising demands from the consumers, BIS should also consider implementing mandatory hallmarking for silver and silver artefacts.

On the occasion, the Minister also launched *State-of-the Art* studio, outreach material, and test method videos. BIS also signed various MoUs, formalising collaborations with several academic institutions.

[Source: Press Release, as available [here](#).]

## SIMS 2.0 introduced by the Steel Ministry

Steel Import Monitoring System, 'SIMS 2.0' has been launched to replace the old TC-QCO Portal, which was also discussed in the previous issue of LKS BIS Amicus. In simple words, it is a dedicated portal to provide advance information about steel imports. Here, entities with an Import Export Code (IEC) can obtain clarifications on the notified Steel and Steel Products as per the QCOs issued by the Central Government.

[Source: SIMS 2.0 - <https://sims.steel.gov.in/> ]

## Implementation of Safety of Household, Commercial and Similar Electrical Appliances (Quality Control) Order, 2024 and revised IS 302 (Part 1) : 2024/ IEC 60335-1 : 2020

The Central Marks Department III (CMD-III) of BIS has issued a notification regarding the revision of existing 'IS 302-1 : 2008 'Safety of household and similar electrical appliances: Part 1 general requirements (Sixth Revision)' and introduction of the new '*IS 302 (Part 1) : 2024/ IEC 60335-1 : 2020 'Household and Similar Electrical Appliances – Safety Part 1 General Requirements (Seventh Revision)*'.

In the light of the upcoming QCO, Safety of Household, Commercial and Similar Electrical Appliances (Quality Control) Order, 2024 issued by Department for Promotion of Industry and Internal Trade (DPIIT), CMD-III has, *vide* Notification dated 16.12.2024, furnished certain clarifications regarding the same. The same is available [here](#).

[Source: What's New – BIS as available [here](#).]

## Mandatory BIS Registration for the OTR Order

As per Machinery and Electrical Equipment Safety (Omnibus Technical Regulation) Order, 2024, the manufacturer of each machinery or electrical equipment, as the case may be, is required to mandatorily register with the BIS (on the Manak Portal) prior to obtaining the BIS certification.

[Source: What's New – BIS as available [here](#).]

## Quality compliance certificates for Chinese steelmakers

As per reports, it is the first time since quality norms were put in place for the Steel sector in 2023-2024 that the Bureau is going to issue compliance certificates to Chinese steelmakers.

Three companies are being certified for cold rolled grain-oriented steel (CRGO), whose short supply was flagged by domestic transformer industry. The decision to issue quality compliance certificates to Chinese steel follows severe shortage in the domestic market for this grade of steel, said a senior official.

[Source: The Economic Times news, as available [here](#).]

## Steel grades not yet covered by BIS standards importable with NOC from Steel Ministry

Vide a written reply given in the Lok Sabha by the Minister of State for Steel and Heavy Industries, it was recently informed that some steel grades, which are not yet covered by BIS standards can be imported into India with a No Objection Certificate (NOC) from the Ministry of Steel.

The applications are looked into diligently by a committee constituted for this purpose. The committee takes decisions on the NOC applications as per prescribed norms. A new portal, SIMS 2.0, as mentioned above, has already been put in place to further streamline the NOC application process.

[Source: Ministry of Steel, Press Release, as available [here](#).]

## Formulation of India's Steel Global Outlook Strategy

Pursuant to the mandatory enforcement of 151 standards for steel and steel products, the Indian government has portrayed consistency toward its goal of ensuring only quality products in the industry.

Besides, the government is also preparing a strategy for the steel sector to increase its competitiveness and sustainability in overseas. Accordingly, a Working Group has been set up to formulate India's 'Steel Global Outlook Strategy' with focus on the four strategic areas for collaboration including raw materials and investments. After extensive consultations with the stakeholders, a Strategy Paper will be formulated identifying focused areas of cooperation and action plans for priority countries.

[Source: Business Standard news, as available [here](#).]

## Monitoring of Bengal's unorganised sector by BIS

BIS has started monitoring manufacturing units across the unorganised sector of the state. As informed by Ms. Anindya Chakrabarti, Senior Director and Head of the BIS Kolkata Branch Office-II, *"With Centre's focus on local manufacturing to reduce dependency on exports, we are bringing unauthorised units under the fold of standardisation"*.

[Source: Times of India news, as available [here](#).]

## Supply crunch in the luxury shoe industry

The QCO for luxury shoes was implemented in August 2024, whereof rigorous BIS certification, factory audits, and product tests were made mandatory.

In the light of this newly enforced QCO, imported leather, suede, and satin shoes are now found to be stumbling. Foreign manufacturers are facing prolonged delays in obtaining BIS certification, causing the fresh stock to be months away. If the delay extends, luxury brands may encounter a steep drop in early 2025 sales.

[Source: Mint news, as available [here](#).]

## Central Government plans provisions for domestic manufacturers to skirt QCOs

It is being deliberated that DPIIT may allow domestic manufacturers to import certain goods for research and development purposes without QCO compliance. This shall help exempt small manufacturers from strict regulations, addressing concerns over product shortages.

In view of this, various existing QCOs are being amended to insert such exemption. For instance, 'Laboratory Glassware (Quality Control) Amendment Order, 2024' was notified last month, the details whereof are provided later in the '*QCO Updates*' section of this newsletter.

[Source: Mint news, as available [here](#).]



## Grant of All India First License

In December 2024, BIS granted All India First License to nine (9) companies for their respective products and corresponding Indian Standards. The details of the same are discussed at length later in this newsletter.

[Source: What's New – BIS as available [here](#)]

# Ratio decidendi

## Confiscation of Pneumatic Tyres for non-compliance with BIS

The appellant imported pneumatic tyres without the mandatory Bureau of Indian Standards (BIS) markings, violating the provisions of the BIS Act and the Pneumatic Tyres and Tubes of Automatic Vehicles (Quality Control) Order, 2009. The imported tyres were held to be “prohibited goods” under Section 2(33) of the Customs Act, 1962, thus liable for confiscation under Section 111. The appellant-importer also mis-declared the quantity, quality, and valuation of the imported goods.

The Tribunal upheld the absolute confiscation of the goods, imposition of penalties under Sections 112(a)(i) and 114AA of the Customs Act and rejected the appellant’s plea for redemption of the goods, citing public safety concerns and the risk of the goods falling into unauthorized hands.

*[Source: Sai Enterprises v. Commissioner – 2024 (12) TMI 965 - CESTAT New Delhi]*



# Article

## Decoding Conformity Assessment Scheme-II of BIS – The Registration Scheme

By LKS BIS Team

In the previous issue of LKS BIS Amicus, we threw light upon various aspects of the Product Certification Scheme, i.e. Scheme-I of the Bureau of Indian Standards (BIS). The next Scheme listed under the BIS (Conformity Assessment) Regulations, 2018 is Scheme-II, also known as the Registration Scheme, and involves self-declaration of conformity. Till date, BIS has issued 6 QCOs under this scheme, covering a total of 73 products.

This scheme largely distinguishes from Scheme-I in terms of its scope, nature of the registration process, BIS marking, application timeline, etc. In this article, we shall delve into all these aspects in detail.

### Scheme II: An overview

Scheme-II operates under the BIS (Conformity Assessment) Regulations, 2018, allowing manufacturers to self-declare that their goods or articles comply with the relevant Indian Standards without requiring BIS factory inspections.

As per the provisions of this scheme, the manufacturer shall ensure that the product has been tested for conformity against all the requirements of the Indian Standard and submit an undertaking as per the prescribed form. In addition, a test report must be submitted, which is issued by a third-party laboratory as per the sampling guidelines available for the specific product.

### Registration procedure

A detailed step-by-step process of registration scheme of BIS has been discussed below:

- For grant of registration as per Scheme-II of BIS, applicants must first sign up/ login using their credentials at the [Bureau Of Indian Standards](#) website.
- Along with the application, applicants must also submit the original test reports issued from BIS-recognised laboratories. Keep in mind that such test report shall be submitted within 90 days of its issuance.
- All foreign applicants having no liaison office or branch office located in India shall be required to appoint an Authorized Indian Representative ('AIR') in accordance with the guidelines issued by the BIS, in the nomination form as prescribed.
- Applicants must refer to the checklist provided and submit other documents, including affidavits cum undertakings along with the application.
- Next, applicants must submit the fee as per the specific fee structure for CRS, as provided [here](#).
- Within 15 days of online submission, applicants must also submit hard copies of the same. In case of non-receipt of such hard copies within 15 days, BIS shall treat the application as closed.
- Upon receipt of all the required documentation, BIS will scrutinize the applications.
- In case of any queries, BIS shall raise the same online and the response whereof shall be recorded online as well. The shortcomings communicated must be complied by the applicant without any delay.
- Once query(s) is satisfactorily resolved and affidavit cum undertaking has been submitted, BIS proceeds with the grant of registration.
- The grant of Registration letter is uploaded on the applicant's portal.

- **Market Surveillance:** The BIS may draw samples from the market or in-transit and send such samples for testing to a third-party laboratory along with test request.
- Registration is initially granted by BIS for 2 years which must be renewed after every 2 years.

## Timeline

The entire process is typically faster than Scheme I, taking approximately 30-45 days, depending on the completeness of documentation.

## Relevant Forms under Scheme – II

- Form - I (Application form for grant of new licence)
- Form - II (Format for undertaking of test report)
- Form - III (Format for affidavit)
- Form - IV (Format for letter of nomination of Authorized Indian Representative)
- Form - VI (Application form for renewal of licence)
- Form - VIII A (Form for Inclusion/ model withdrawal)
- Form - VIII B (Form for change of other details in the scope of licence)

## Who can apply for registration under Scheme-II of BIS?

Manufacturer (or factory owner) of any product, which comes under the ambit of the Compulsory Registration Order (CRO) notified by the Ministry of Electronics and Information Technology (MeitY), Ministry of New and Renewable Energy (MNRE), Ministry of Chemicals and Fertilizers, and Ministry of Textiles.

## Quality Control Orders (QCOs) issued under Scheme-II

At present, the Central Government has issued 6 QCOs under Scheme-II, covering a total of 73 products.

Ministry of Electronics and Information  
Technology (MeitY)

- Electronics and Information Technology Goods (Requirement of Compulsory Registration) Order, 2021
- Covers 64 different Electronics & IT Products including digital camera, TV sets, laptop, mobile phones, printers, etc.

Ministry of Chemicals and Fertilizers

- Ortho Phosphoric Acid (Quality Control) Order, 2021
- Polyphosphoric Acid (Quality Control) Order, 2021
- Trimethyl Phosphite (Quality Control) Order, 2022

Ministry Of New and Renewable Energy  
(MNRE)

- Solar Photovoltaics, Systems, Devices and Components Goods (Requirements for Compulsory Registration) Order, 2017
- Covers 5 different product categories including Power converters, Photovoltaic inverters, Storage batteries, etc.

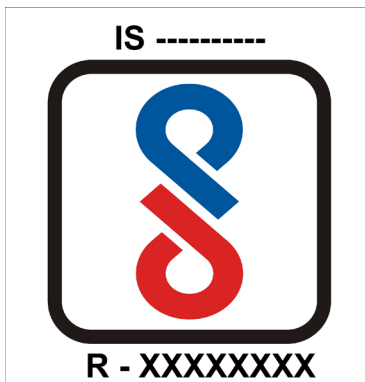
Ministry of Textiles

- Cotton Bales (Quality Control) Order, 2023

## Marking requirements

Upon grant of license, the licensee must display the 'Standard Mark' on the article or the packaging, as the case may be, in a manner so as to be easily visible.

The Self-Declaration of Conformity (SDoC) mark for the purpose of demonstration of conformity under Scheme-II of BIS is as provided below:



As evident from the above, the SDoC mark also includes the unique registration number assigned by BIS.



## Challenges and future outlook: *LKS Comments on Scheme-II*

It is no surprise that Scheme-II of BIS involves a much simpler and shorter process as compared to Scheme-I, i.e. the Product Certification Scheme. However, there are few challenges associated with the scheme that can't be overlooked.

For instance, the Registration scheme relies heavily on the manufacturer's integrity, which may raise potential concerns over non-compliance. In addition, as it is with any other scheme, non-compliance can lead to penalties, including cancellation of registration and legal consequences under the BIS Act, 2016.

Nonetheless, Scheme II of BIS exemplifies a balanced approach to quality assurance by combining regulatory oversight with self-regulation. Its success lies in enabling manufacturers to ensure product compliance while maintaining consumer safety.

To enhance its impact, BIS could consider:

- Introducing random audits for self-certified products;
- Extending the scope of Scheme II to more product categories under QCOs; and
- Enhancing public awareness about the SDoC mark.

With such measures, Scheme II will continue to foster a culture of quality and reliability in the Indian market while supporting the nation's goal of becoming a global manufacturing hub.

**In the next newsletter, we shall dive into Conformity Assessment Scheme-X of BIS, wherein we shall strive to clear the numerous ambiguities surrounding it.** Now, let's move ahead with important BIS updates that took place last month.



# QCO Updates

## QCO Updates – December 2024

For ease of reference, we have compiled a comprehensive set of data covering the following:

- **Upcoming QCOs** – Notified and due for implementation
- **QCOs notified in the Official Gazette:** Published by the respective line Ministries of the Central Government, in consultation with the BIS under Section 16 of the BIS Act, 2016
- **QCOs notified on the WTO-TBT portal, 'ePing':** These are draft QCOs notified by India for WTO member countries to review and give comments. They are yet to be finalized and are not published in the Official Gazette yet.
- **Amendments/extensions** to the existing QCOs

## QCOs to be implemented in the upcoming months

In the upcoming months, from January to March 2025, a total of 68 products will be covered under the ambit of QCOs. Here's an overview of the same:

	January	February	March
<b>No. of Products</b>	15	15	38
<b>Ministry/ Department which has</b>	Department for Promotion of Industry and	Department for Promotion of Industry and	Ministry of Steel – 6 QCO Department for Promotion of Industry and Internal Trade (DPIIT) – 24

<b>issued the QCO</b>	Internal Trade (DPIIT) – 12  Ministry of Textiles – 3	Internal Trade (DPIIT) – 15	Department of Chemicals and Petrochemicals – 8
<b>Products</b>	Hinges, Sanitary Napkins, Baby Diapers, and Resin treated compressed wood laminates	Wood Based Boards, Plywood and Wooden flush door shutters	Steel products, Electrical Appliances – Skin or haircare, Cross Recessed Screws, Wrenches, Pliers, Chemicals such as Ethyl Acrylate, Vinyl Acetate Monomer, Polycarbonate, etc.

### *Industries likely to be impacted:*

- Construction;
- Medical textile;
- Automotive;
- Hardware;
- Wood and laminate manufacturing;
- Tool manufacturing;
- Steel; and
- Chemical and petrochemical industries/ companies, among others.

### LKS Comments

All the manufacturers (both domestic and foreign) of the products listed above shall be required to obtain BIS certification in order to comply with the QCOs. However, subject to the facts and circumstances of the case, the manufacturers may also seek an exemption or extension of the QCO by drafting a representation to BIS/line ministry, as the case may be.

### QCOs notified in the Official Gazette

No new QCOs were notified by the Central Government in December 2024.

### QCOs notified by India on the WTO-TBT portal – ‘ePing’

Sr. No.	Order Title	Notification Date
1.	Animal Feeds and Feed Ingredients (Quality Control) Order, 2024	18 December 2024

## LKS Comments

The Department of Animal Husbandry and Dairying, under the Ministry of Fisheries, Animal Husbandry and Dairying has issued a draft QCO viz. Animal Feeds and Feed Ingredients (Quality Control) Order, 2024 which covers under its ambit 5 products namely:

- i. Mineral mixtures for supplementing cattle feeds;
- ii. Cottonseed oilcake as livestock feed ingredient;
- iii. Mustard and rapeseed oilcake as livestock feed ingredient;
- iv. Dicalcium phosphate, animal feed grade; and
- v. Common salt and cattle licks for animal consumption.

While the draft QCOs notified on the WTO website are yet to be notified and implemented, we suggest that the manufacturers start the necessary procedures to comply with the QCOs. Once they are notified by the Central Government, it will be mandatory to obtain BIS certification for the respective products.

## Extensions to the existing QCOs

Sr. No	Order title	New date of implementation
1.	Poly Vinyl Chloride (PVC) Homopolymers (Quality Control) Order, 2024	24 June 2025
2.	Polypropylene (PP) Materials for Moulding and Extrusion (Quality Control) Order, 2024	24 June 2025
3.	Textiles — High Density Polyethylene (HDPE)/ Polypropylene (PP) Woven Sacks for Packaging of 50 kg Cement (Quality Control) Order, 2023	6 June 2025
4.	Textiles — Polypropylene (PP) Woven, Laminated, Block Bottom Valve Sacks for Packaging of 50 kg Cement (Quality Control) Order, 2023	6 June 2025
5.	Textiles — Polypropylene (PP)/ High Density Polyethylene (HDPE) Laminated Woven Sacks for Mail Sorting, Storage, Transport and Distribution (Quality Control) Order, 2023	6 June 2025
6.	Toluene (Quality Control) Order, 2021	22 December 2025

## Amendment Orders

Sr. No.	Order Title
1.	Laboratory Glassware (Quality Control) Amendment Order, 2024

### **LKS Comments - *What's in the Amendment?***

The Laboratory Glassware (Quality Control) Order, 2023 has been amended to introduce two exemptions to the original order:

- i. QCO shall not apply up to two years to goods or articles manufactured domestically by an enterprise, registered on the “Udyam portal” of the Central Government in the Ministry of Micro, Small and Medium Enterprises, wherein the investment in plant and machinery or equipment at original cost does not exceed INR 25 lakh and the turnover does not exceed INR 2 crore for the previous financial year as certified by a Chartered Accountant; and
- ii. QCO shall further not apply for 200 number of goods or articles imported for the purpose of research and development, subject to certain conditions.



## BIS - All India First Licence

BIS issued the All India/ Global First Licence, that is, the first licence ever issued for a certain product/Indian Standard for the following products in December 2024:

Sr. No.	Product	Indian Standard	Company
1.	Spoons	IS 16286 : 2014	M/s Jagdamba Cutlery Limited
2.	Textiles - Polyester Textured Yarn	IS 17879 : 2022	M/s Bhilosa Industries Private Limited
3.	Medical Textiles Bedsheet and Pillow Cover	IS 17630 : 2021	M/s Plasti Surge Industries Pvt Ltd
4.	Preformed Rigid Polyurethane (PUR) and Polyisocyanurate (PIR) Foams for Thermal Insulation	IS 12436 : 1988	M/s RINAC India Ltd
5.	Paint Coal Tar Epoxy, Two Pack, Black and Brown (Base and Hardner)	IS 14948 : 2001	M/s Redwop Chemicals Pvt. Ltd
6.	Polymerized 1,2 Dihydro 2,2,4- Trimethyl Quinoline (TMQ)	IS 14923 : 2001	M/s NOCIL Ltd
7.	Styrene (Vinyl benzene)	IS 4105: 2023	M/s Formosa Chemicals & Fibre Corporation

8.	Industrial Safety Nets	IS 11057 : 1984	M/s Dolfin Marine Product
9.	Textiles Bedsheets Pillow Cover and Blanket Cover	IS 18739 : 2024	M/s Alok Industries Limited

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