

THE BUREAU OF INDIAN STANDARDS ACT, 2016

NO. 11 OF 2016 [21st March, 2016.]

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An Act to provide for the establishment of a national standards body for the harmonious development of the activities of standardisation, conformity assessment and quality assurance of goods, articles, processes, systems and services and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Sixty-seventh Year of the Republic of India as follows: —

CHAPTER I
PRELIMINARY

1. (1) This Act may be called the Bureau of Indian Standards Act, 2016.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In this Act, unless the context otherwise requires, –

(a) "Act" means the Bureau of Indian Standards Act, 2016 (11 of 2016);

(b) "Advisory Committee" means an Advisory Committee constituted by the Governing Council under sub-section (1) of section 5 of the Act;

(c) "certificate of conformity" means a certificate granted by the Bureau or designated authority demonstrating that an article, process, system, service, has been determined to be in compliance with a standard or specified requirements, following assessment of conformity;

(d) "compounding authority" means an officer authorised by the Director General to be the compounding authority under sub- rule (1) of rule 50;

(e) "Consultant" means an expert or an organisation of experts engaged for a specific task relating to standards formulation to whom a fee is payable by the Bureau;

(f) "Director General" means Director General of the Bureau;

##(g) "Form" means a form appended to these rules;

(h) "licensee" means a person to whom a licence has been granted under the Act;

(i) "technical committee" means a committee constituted by the Bureau under sub-section (3) of section 10 of the Act and includes a Division council, sectional committee, sub-committee, panel, working group or any other committee;

(j) "year" means the financial year commencing on the first day of April and ending on the 31st day of March.

(2) Words and expressions used in these rules and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act. ...BIS Rules, 2018 incorporating all amendments

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

(a) "Act" means the Bureau of Indian Standards Act, 2016; #

(b) "rules" means the Bureau of Indian Standards Rules, 2018;

(c) "first party" means a person or organisation that provides the goods, article, process, system or service for conformity assessment;

(d) "Schedule" means the Schedule annexed to these regulations;

(e) "Scheme" means the Scheme annexed to Schedule-II;

(f) "specified requirement" means the stated need or expectation that goods, article, process, system or service is required to fulfil and includes essential requirements;

(g) "third party" means a person or body that is independent of the person or organisation that provides goods, article, process, system or service for conformity assessment, and has no user interest.

(2) The words and expressions used in these regulations and are not defined but defined in the Act or the rules shall have the meanings respectively assigned to them in the Act and the rules

2. (a) "Scheme of Inspection and Testing" means a plan specified by the Bureau and to be adopted by the licensee for establishing laboratory and exercising control at different stages in the production process;

(b) "third party laboratory" means a laboratory established, maintained or recognised by the Bureau or Government laboratories empaneled by the Bureau or any other laboratory decided by the Executive Committee of the Bureau.

The Bureau of Indian Standards (Conformity Assessment) Regulations, 2018

#(b) "rules" means the Bureau of Indian Standards Rules, 2018; ." .. **BIS (Advisory Committees) Regulations, 2018 incorporating all amendments**

Short title and commencement. - (1) These regulations may be called the Bureau of Indian Standards (Hallmarking) Regulations, 2018.

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

(a) "Act" means the Bureau of Indian Standards Act, 2016;

(b) "carat" means the ratio between the mass of gold content and the total mass expressed in parts per twenty-four;

(c) "fineness" means the ratio between the mass of precious metal content and the total mass expressed in parts per thousand;

(d) "rules" means the Bureau of Indian Standards Rules, 2018;

(e) "Schedule" means the Schedule annexed to these regulations.

(2) The words and expressions used herein and not defined, but defined in the Act, shall have the same meaning as assigned to them in the Act.

...The Bureau of Indian Standards (Hallmarking) Regulations, 2018

1. Short title and commencement. —

(1) These regulations may be called the Bureau of Indian Standards (Powers and Duties of Director General) Regulations, 2018.

(2) They shall come into force on the date of their publication in the Official Gazette. 2. Definitions. — In these regulations, unless the context otherwise requires, -

(a) "Act" means the Bureau of Indian Standards Act, 2016 (11 of 2016);

(b) "employee" means officers and employees in the whole time service of the Bureau but does not include a person employed on daily wages;

(c) "rules" means the Bureau of Indian Standards Rules, 2018;

(d) "Schedule" means the schedule annexed to these regulations; (

e) the words and expressions used and not defined in these regulations but defined in the Act or the rules shall have the meanings respectively assigned to them in the Act or in the rules, as the case may be.

.....The Bureau of Indian Standards (Powers and Duties of Director General) Regulations, 2018

Definitions. - In these regulations, unless the context otherwise requires,-

(a) "Act" means the Bureau of Indian Standards Act, 2016 (11 of 2016);

(b) "Appointing Authority", in relation to Group 'A' employees means, the Director General and in relation

to Group 'B' and Group 'C' employees means the Deputy Director General (Administration);

(c) "employee" means the employee appointed on regular basis to the permanent post in the Bureau of Indian

Standards and includes the employee of the erstwhile Indian Standards Institution;

(d) "Laboratory Technical Posts" means the posts specified in column (2) of the First Schedule;

(e) "Officiating Appointment" means appointing an officer already holding a post in a substantive or

officiating capacity to officiate, as a temporary measure, in one or more of other independent posts at a time;

(f) "rules" means the Bureau of Indian Standards Rules, 2018;

(g) "Schedule" means a Schedule appended to these regulations;

(h) "Scheduled Castes" and "Scheduled Tribes" shall have the same meanings as respectively assigned to them in clauses (24) and (25) of article 366 of the Constitution;

(i) "Selection Committee" means the committee constituted under regulation 9;

(j) words and expressions used in here and not defined, but defined in the Act or the rules, shall have the same meaning as respectively assigned to them in the Act or the rules, as the case may be.

..... BIS (Recruitment to Laboratory Technical Posts) Regulations, 2019

Short title and commencement. - (1) These regulations may be called the Bureau of Indian Standards (Recruitment to Scientific Cadre) Regulations, 2019.

2. Definitions. - In these regulations, unless the context otherwise requires -

(a) "Act" means the Bureau of Indian Standards Act, 2016 (11 of 2016);

(b) "Appointing Authority" means the Director General;

(c) "Assessment Committee" means the committee constituted under sub-regulation (3) of regulation 14;

(d) GATE means the Graduate Aptitude Test in Engineering conducted by the Indian Institute of Science and the Indian Institutes of Technology;

(e) "Internal Screening Committee" means the committee constituted under sub-regulation (2) of regulation 14;

(f) "Schedule" means a Schedule appended to these regulations;

(g) "Scheduled Castes" and "Scheduled Tribes" shall have the same meanings as are respectively assigned to them in clauses (24) and (25) of article 366 of the Constitution of India;

(h) "Scientific Cadre" means the posts specified in Bureau of Indian Standards Scientific Cadre constituted under Regulation 3 and 4;

(i) "Screening Committee" means the committee constituted under regulation 9;

(j) "Selection Committee" means the committee constituted under regulation 10;

(k) "rules" means the Bureau of Indian Standards Rules, 2018 published vide Gazette Notification number G.S.R. 584 (E) dated 25th June, 2018;

(l) words and expressions used in these regulations and not defined but defined in the Act or the rules shall have the meanings respectively assigned to them in the Act and the rules.

... BIS (Recruitment to Scientific Cadre) Regulations, 2019

—Process means set of interrelated or interacting activities which transforms inputs into outputs.

(2) —Third party laboratory means a laboratory established, maintained or recognised by the Bureau or Government laboratories empaneled by the Bureau or any other laboratory decided by the Executive Committee of the Bureau.

BIS (Conformity Assessment) Amendment Regulations, 2020

2. Definitions. –

In these regulations, unless the context otherwise requires –

- (a) –Act^{||} means the Bureau of Indian Standards Act, 2016 (11 of 2016);
- (b) –Administration, Finance and Other Posts^{||} means the posts included in the Schedule appended to these regulations;
- (c) –Appointing Authority^{||}, in relation to Group ‘A’ employees means, the Director General and in relation to Group ‘B’ and Group ‘C’ employees means the Deputy Director General (Administration);
- (d) –rules^{||} means the Bureau of Indian Standards Rules, 2018;
- (e) –Schedule^{||} means a Schedule appended to these regulations;
- (f) –Scheduled Castes^{||} and –Scheduled Tribes^{||} shall have the same meanings as are respectively assigned to them in clauses (24) and (25) of article 366 of the Constitution of India;
- (g) –Screening Committee^{||} means the Committee constituted under sub-clause (a) of clause (iv) of subregulation (1) of regulation 5;
- (h) –Selection Committees^{||} means the Committees constituted under regulation 9;
- (i) words and expressions used in these regulations, but not defined, and defined in the Act or the rules, shall have the meanings respectively assigned to them in the Act or the rules, as the case may be.

2. Definition.– (1) “Technical file” means documentation covering design, manufacture and operation of products to the extent applicable and necessary for demonstration of compliance of conformity. (2) “Third party laboratory” means a laboratory established, maintained or recognised by the Bureau or Government laboratories empanelled by the Bureau or any other laboratory decided by the Executive Committee of the Bureau and the details of third party laboratory will be made available on the website of the Bureau, i.e.

(3) “Test certificate” means a document furnished by the certified body to substantiate that the representative specimens of a product were fully tested for compliance with the specified requirements.

(2) They shall come into force on the date of their publication in the Official Gazette. 2. In the Bureau of Indian Standards (Hallmarking) Regulations, 2018 (hereinafter referred to as the said regulations), in Chapter heading of Chapter I, the word „Renewal” shall be omitted.

2. In the Bureau of Indian Standards (Conformity Assessment) Regulations, 2018 (hereinafter referred to as the said regulations), in Schedule -II, in Scheme-II, in paragraph 5, for sub-paragraph (6), - (a) with effect from 1st day of June, 2023, the following sub-paragraph shall be substituted, namely :- “(6) Concession in processing fee of eighty per cent shall be applicable to micro enterprises and twenty percent shall be applicable to

small and medium enterprises;"; (b) with effect from 1st June, 2026, the following sub-paragraph shall be substituted, namely: -

(6) Concession in processing fee of twenty per cent shall be applicable to micro small and medium enterprises".

2. In the Bureau of Indian Standards (Conformity Assessment) Regulations, 2018 (hereinafter referred to as the said regulations), in Schedule-II, in Scheme-II, in paragraph 5, for sub-paragraph (6), – (a) the following sub-paragraph shall be substituted with effect from the date of its publication in the Official Gazette, namely :— “(6) Concession in processing fee of eighty per cent. shall be applicable to micro enterprises and start-ups, fifty per cent. shall be applicable to small enterprises and twenty per cent. shall be applicable to medium enterprises. Explanation 1: For the purpose of this sub-paragraph, the expression micro, small and medium enterprises shall have the meaning assigned to it in the Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006). Explanation 2: A start-up shall have the meaning as assigned to it in the Income-tax Act, 1961 (43 of 1961).”; (b) with effect from 1st June, 2026, the following sub-paragraph shall be substituted, namely:— “(6) Concession in processing fee of twenty per cent. shall be applicable to micro, small and medium enterprises. Explanation: For the purpose of this sub-paragraph, the expression micro, small and medium enterprises shall have the meaning assigned to it in the Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006).”.

2. In the Bureau of Indian Standards (Conformity Assessment) Regulations, 2018, - (A) in Scheme-III, for Annexure-I, the following Annexure shall be substituted, namely:-

(1) **"article"** means any substance, artificial or natural, or partly artificial or partly natural, whether raw or partly or wholly processed or manufactured or handmade within India or imported into India;

Short title, extent and commencement.

(2) **"assaying and hallmarking centre"** means a testing and marking centre recognised by the Bureau to determine the purity of precious metal articles and to apply hallmark on the precious metal articles in a manner as may be determined by regulations;

(3) **"Bureau"** means the Bureau of Indian Standards established under section 3;

(4) **"certification officer"** means a certification officer appointed under sub-section (1) of section 27;

(5) **"certified body"** means a holder of certificate of conformity or licence under sub-section (2) of section 13 in relation to any goods, article, process, system or service which conforms to a standard;

(6) **"certified jeweller"** means a jeweller who has been granted a certificate by the Bureau to get manufactured for sale or to sell any precious metal article after getting the same hallmarked in a manner as may be determined by regulations;

(7) **"conformity assessment"** means demonstration that requirements as may be specified relating to an article, process, system, service, person or body are fulfilled;

- (8) "**conformity assessment scheme**" means a scheme relating to such goods, article, process, system or service as may be notified by the Bureau under section 12;
- (9) "**consumer**" means a person as defined in the Consumer Protection Act, 1986; **68 of 1986.**
- (10) "**covering**" includes any stopper, cask, bottle, vessel, box, crate, cover, capsule, case, frame, wrapper, bag, sack, pouch or other container;
- (11) "**Director General**" means the Director General appointed under sub-section (1) of section 7;
- (12) "**Executive Committee**" means the Executive Committee constituted under sub-section (1) of section 4;
- (13) "**fund**" means the fund constituted under section 20;
- (14) "**goods**" includes all kinds of movable properties under the Sale of Goods Act, 1930, other than actionable claims, money, stocks and shares; **3 of 1930.**
- (15) "**Governing Council**" means a Governing Council constituted under sub-section (3) of section 3;
- (16) "**Hallmark**" means in relation to precious metal article, the Standard Mark, which indicates the proportionate content of precious metal in that article as per the relevant Indian Standard;
- (17) "**Indian Standard**" means the standard including any tentative or provisional standard established and published by the Bureau, in relation to any goods, article, process, system or service, indicative of the quality and specification of such goods, article, process, system or service and includes –
- (i) any standard adopted by the Bureau under sub-section (2) of section 10; and
 - (ii) any standard established and published, or recognised, by the Bureau of Indian Standards established under the Bureau of Indian Standard Act, 1986, which was in force immediately before the commencement of this Act; **63 of 1986.**
- (18) "**Indian Standards Institution**" means the Indian Standards Institution registered under the Societies Registration Act, 1860;
- (19) "**jeweller**" means a person engaged in the business to get manufactured precious metal article for sale or to sell precious metal articles;
- (20) "**licence**" means a licence granted under section 13 to use a specified Standard Mark in relation to any goods, article, process, system or service, which conforms to a standard;
- (21) "**manufacturer**" means a person responsible for designing and manufacturing any goods or article;
- (22) "**mark**" includes a device, brand, heading, label, ticket, pictorial representation, name, signature, word, letter or numeral or any combination thereof;

(23) "**member**" means a member of the Governing Council, Executive Committee or any of the Advisory Committee;

(24) "**notification**" means a notification published in the Official Gazette and the expression "notify" or "notified" shall be construed accordingly;

(25) "**person**" means a manufacturer, an importer, a distributor, retailer, seller or lessor of goods or article or provider of service or any other person who uses or applies his name or trade mark or any other distinctive mark on to goods or article or while providing a service, for any consideration or gives goods or article or provides service as prize or gift for commercial purposes including their representative and any person who is engaged in such activities, where the manufacturer, importer, distributor, retailer, seller, lessor or provider of service cannot be identified;

(26) "**precious metal**" means gold, silver, platinum and palladium;

(27) "**precious metal article**" means any article made entirely or in part from precious metals or their alloys;

(28) "**prescribed**" means prescribed by rules made under this Act;

(29) "**process**" means a set of inter-related or interacting activities, which transforms inputs into outputs;

(30) "**recognised testing and marking centre**" means a testing and marking centre recognised by the Bureau under sub-section (5) of section 14;

(31) "**recognised testing laboratory**" means a testing laboratory recognised by the Bureau under sub-section (4) of section 13;

(32) "**registering authority**" means any authority competent under any law for the time being in force to register any company, firm or other body of persons, or any trade mark or design, or to grant a patent;

(33) "**regulations**" means regulations made by the Bureau under this Act;

(34) "**sale**" means to sell, distribute, hire, lease or exchange of goods, article, process, system or service for any consideration or for commercial purposes;

(35) "**seller**" means a person who is engaged in the sale of any goods, article, process, system or service;

(36) "**service**" means the result generated by activities at the interface between an organisation and a customer and by organisation's internal activities, to meet customer requirements;

(37) "**specification**" means a description of goods, article, process, system or service as far as practicable by reference to its nature, quality, strength, purity, composition, quantity, dimensions, weight, grade, durability, origin, age, material, mode of manufacture or processing, consistency and reliability of service delivery or other characteristics to distinguish it from any other goods, article, process, system or service;

(38) "**specified**" means specified by the regulations; (39) "standards" means documented agreements containing technical specifications or other precise criteria to be used consistently as rules, guidelines, or definitions of characteristics, to ensure that goods, articles, processes, systems and services are fit for their purpose;

(40) "**Standard Mark**" means the mark specified by the Bureau, and includes Hallmark, to represent conformity of goods, article, process, system or service to a particular Indian Standard or conformity to a standard, the mark of which has been established, adopted or recognised by the Bureau and is marked on the article or goods as a Standard Mark or on its covering or label attached to such goods or article so marked;

(41) "**system**" means a set of inter-related or interacting elements;

(42) "**testing laboratory**" means a body set up for the purpose of testing of goods or article against a set of requirements and report its findings;

(43) "**trade mark**" means a mark used or proposed to be used in relation to goods or article or process or system or service for the purpose of indicating, or so as to indicate, a connection in the course of trade of goods, article, process, system or service, as the case may be, and some person having the right, either as proprietor or as registered user, to use the mark, whether with or without any indication of the identity of that person.

CHAPTER II
BUREAU OF INDIAN STANDARDS

3. Constitution of the Governing Council. - (1) The Governing Council shall consist of the following members, namely: -

- (a) the Minister in charge of the Ministry or Department of the Central Government having administrative control of the Bureau who shall be ex officio President of the Bureau;
- (b) the Minister of State or a Deputy Minister, if any, in the Ministry or Department of the Central Government having administrative control of the Bureau who shall be ex officio Vice-President of the Bureau, and where there is no such Minister of State or Deputy Minister, such person as may be nominated by the Central Government to be the Vice-President of the Bureau;
- (c) the Secretary to the Government of India in charge of the Ministry or Department of the Central Government having administrative control of the Bureau, ex officio;
- (d) the Director General of the Bureau, ex officio;
- (e) two Members of Parliament of whom one shall be from the House of the People and one from the Council of States;
- (f) three persons representing the Ministries and Departments of the Central Government dealing with important subjects of interest to the Bureau;
- (g) five representatives - one each from five zones of the State Governments and the Union territories on rotation basis who shall be, -
 - (i) the Minister in charge or Secretary of the Department having administrative control over quality and standards in the case of States and Union territories having a Council of Ministers; and
 - (ii) the Administrator or the Chief Executive Councillor, as the case may be, in the case of Union territories, not having a Council of Ministers;
- (h) two persons representing consumer organisations which in the opinion of the Central Government are active and effective in their operations, or are in the opinion of that Government are capable of representing consumer interests;
- (i) one person, who, in the opinion of the Central Government, is capable of representing

farmers' interests;

(j) five persons representing the industry and trade and their associations and public sector enterprises to be chosen as follows:-

(i) President or Director General or Secretary General of three industry associations or federations of all India level;

(ii) Chief Executive of one Central or State Public Sector Enterprise related to subjects of importance to the Bureau;

(iii) Chairman or Managing Director of one industrial organisation, other than the public sector, who is awardee of a national or an international award for quality;

(k) three persons representing the scientific and research institutions, technical, educational and professional organisations related to subjects of importance to the Bureau;

(l) one person representing regulatory authorities or bodies dealing with important subjects of interest to the Bureau;

(m) one person representing the National Accreditation Boards or bodies.

Explanation - For the purposes of clause (g), the five zones of States and Union territories shall be as under:-

Direction	State 1	State 2	State 3	State 4	State 5	State 6	State 7	State 8	State 9
North (1)	Himachal Pradesh	Punjab	Haryana	Uttar Pradesh	Jammu and Kashmir	Uttarakhand	NCT of Delhi	Chandigarh	Ladakh
East (2)	West Bengal	Orissa	Bihar	Chhattisgarh	Jharkhand	Sikkim	Dadra and Nagar Haveli	Lakshadweep Islands	-
West (3)	Gujarat	Maharashtra	Rajasthan	Madhya Pradesh	Goa	Daman and Diu	Andaman and Nicobar Islands	-	-
South (4)	Andhra Pradesh	Tamil Nadu	Karnataka	Kerala	Telangana	Puducherry	Nagaland	-	-

Direction	State 1	State 2	State 3	State 4	State 5	State 6	State 7	State 8	State 9
	Pradesh								
North-East (5)	Assam	Meghalaya	Tripura	Arunachal Pradesh	Manipur	Mizoram	Nagaland	-	-

(2) The term of office of a member shall continue so long as he holds the office by virtue of which he is such a member.

(3) The Governing Council may associate persons not exceeding fifteen to assist or advise in the fields of science and technology including environmental control, energy conservation, import substitution, transfer of technology and other areas of emerging technology.

BIS Rules, 2018 incorporating all amendments

3. Conformity assessment scheme.- (1) The conformity assessment scheme shall be as specified in Schedule - I, and may include the following, namely:-

- (a) scope;
- (b) selection, determination, review, decision, attestation and surveillance;
- (c) design, use and control of the Standard Mark, if applicable; (d) inspection and testing plan or quality manual, calibration schedule and records to be maintained by the first party;
- (e) fees to be paid before or during the operation of licence or certificate of conformity.

(2) The different types of conformity assessment schemes shall be as specified in Schedule-II.

Processes of the Scheme

3. (1) Selection.- (a) The manufacturer shall identify that,-

- (i) the applicable Indian Standard against which it intends to obtain a licence;
- (ii) the machinery available in manufacturing premise (s) and prepare a list in Form -I annexed to this Scheme and if any part of the manufacturing activity is outsourced, details of machinery used for that activity shall be indicated in a separate form;
- (iii) the test equipment required to carry out testing in accordance with the relevant Indian Standard, relevant Scheme of inspection and testing and prepare a list of the available equipment in Form -II annexed to this Scheme.

(iv) For the tests which are permitted to be sub-contracted and not available with the manufacturer, he shall identify test facility outside the factory where such tests can be carried out and inform the same to the Bureau.

(b) the minimum number of sample(s) required for testing shall be ascertained by the manufacturer keeping in view the nature of the product, intended scope of the licence or in accordance with the sampling guidelines: Provided that if the sampling guidelines are available on the website of Bureau, it shall be followed by the manufacturer.

(c) the manufacturer may submit his levels of control in Form -III annexed to this Scheme which he proposes to implement in day to day production so as to ensure that the final product conforms to the relevant Indian Standard;

(d) in case of certain products specified by the Bureau, levels of control as specified in the scheme of inspection and testing by the Bureau shall be obligatory for the manufacturer to comply with;

(e) the manufacturer shall ensure that the product has been tested for conformity against all the requirements of the Indian Standard and shall prepare test report in Form -IV annexed to this Scheme;

(f) in cases where duration of any test is more than a month and the applicant is a new manufacturing unit, the product may be tested for complete duration or for duration of a month, either in the factory or in a third party laboratory;

(g) the manufacturer may apply for grant of licence in Form -V annexed to this Scheme and the Bureau shall follow any one of the following procedure or any combination thereof, for grant of licence, namely;- (i)

(I) the applicant shall submit complete test report of the product which is issued from a third party laboratory along with the application;

(II) the Bureau shall arrange a factory visit for verification of production process and drawal of verification sample for third party laboratory testing;

(III) the licence shall be granted without waiting for the test report of the verification sample and review of the licence shall be made on receipt of the test report; (ii) (I) the Bureau shall arrange a visit to the factory for verification of production process and testing of the product in the factory when complete testing facilities are available with the applicant either in-house or outside the factory; (II) the licence shall be granted based on the testing of the samples in the factory; (iii) the Bureau shall arrange a visit to the factory for verification of production process and drawal of sample for testing in a third party laboratory and the licence shall be granted after demonstration of conformity through the test report of this sample; (h) in case of foreign manufacturers, an authorised Indian representative based in India shall be nominated in Form-VI annexed to this Scheme.

(2) Determination.-

(a) The Bureau on receipt of an application shall examine that the applicant has submitted all required documents along with the application.

(b) If the application under clause (a) is complete, the Bureau shall finalise the date of the factory visit in consultation with the applicant;

(c) During factory visit, the following activities shall be carried out by the Bureau, namely;- (i) verification of documents submitted by the manufacturer; (ii) discussion on the adequacy of the levels of control submitted by the manufacturer, if applicable; (iii) verification of the plant layout and manufacturing process with levels of control exercised at various stages; (iv) verification of available infrastructure including manufacturing machinery and test equipment, competence of person(s) in-charge of quality control, storage facilities and hygienic conditions, if applicable; (v) verification of test equipment calibration status; (vi) factory testing and drawal of sample for third party laboratory testing, as applicable.

(d) Any inadequacy observed during the factory visit shall be communicated in writing to the manufacturer in Form -VII annexed to this Scheme.

(3) Review.-

(a) The report of the factory visit shall be reviewed on the basis of the activities specified under clause (c) of sub-paragraph (2) of paragraph 3;

(b) the test results of the product shall be reviewed for their correctness and conformance to the Indian Standard and in case duration of a test is longer than a month, test report of the manufacturer for such tests may be considered for grant of licence and same may be reviewed on receipt of third party laboratory report.

(4) Decision.- The decision on grant of licence shall be taken when the Bureau is satisfied that the manufacturer has necessary infrastructure for manufacturing quality products on a continuous basis and the test results indicate conformity of the product to the relevant Indian Standard.

(5) Attestation.-

(a) The Bureau shall grant licence in Form -VIII annexed to this Scheme indicating the scope of the licence, licence number, address of the manufacturer, validity of licence, marking fee, details of the Indian Standard and facsimile of the Standard Mark to the manufacturer;

(b) in case of foreign manufacturer, the Bureau shall issue the agreement for grant of licence in Form -IX annexed to this Scheme along with the indemnity bond in Form -X annexed to this Scheme, duly executed on a non-judicial stamp paper of rupees one hundred to be submitted by the foreign manufacturer or his authorised Indian representative, as the case may be;

(c) in case of foreign manufacturer, a performance bank guarantee for US Dollars ten thousand as per Form -XI annexed to this Scheme issued by any bank having Reserve Bank of India approved branch in India shall be submitted by that manufacturer;

(d) the Bureau may issue test certificate indicating conformity to the Indian Standard based on predespatch inspection of the product covered under the scope of the licence.

(6) Surveillance.-

(a) The Bureau may carry out inspection at licensee`s premises either with or without prior intimation;

(b) the need for carrying out the inspection shall be decided keeping in view the risk associated with the product and any variation observed during such inspection shall be communicated to the licensee in Form -VII annexed to this Scheme;

(c) the Bureau may draw samples during inspection for testing;

(d) the Bureau may draw samples from market and send the samples for testing to a third party laboratory along with the test request and in case drawal of market sample is not possible due to any reason, samples may be drawn from the despatch point;

(e) the Bureau may obtain feedback preferably from organised buyers

The Bureau of Indian Standards (Conformity Assessment) Regulations, 2018

3. Constitution of Advisory Committees. – The Governing Council shall constitute the following Advisory Committees under section 5 of the Act, namely:-

(a) Finance Advisory Committee;

(b) Conformity Assessment Advisory Committee;

(c) Standards Advisory Committee;

(d) Testing and Calibration Advisory Committee;

(e) Consumer Affairs Advisory Committee;

@ (f) Research Advisory Committee; and

@ (g) Training Advisory Committee. .. **BIS (Advisory Committees) Regulations, 2018 incorporating all amendments**

3. Powers and duties of Director General. –

The Director General shall, -

(a) convene with the approval of the President meetings of the Governing Council;

(b) administer and co-ordinate various activities of the Bureau;

(c) designate officers of the Scientific Cadre as Activity Heads with prior approval of the Central Government.

(d) assign duties to the Deputy Director General (Administration), Deputy Director General (Finance) and Activity Heads of Scientific Cadre with the prior approval of the Central Government.

(e) assign duties to other employees.

(f) issue instructions to employees for carrying out activities of the Bureau;

(g) exercise powers vested with the Head of the Department in the Central Government;

(h) exercise and discharge such of the powers and duties as may be delegated to him by the Executive Committee. (i) exercise powers specified in the Schedule annexed to these regulations.

Sl. No.	Power Extent	Financial Matters
1	To sanction recurring and non-recurring expenditure	Full powers within the budget provision.
2	To sanction purchase of working stores, machinery, and equipment	Full powers within the budget provision.
3	To sanction permanent advances or imprest	Full powers.
4	To sanction all levies and taxes by Government or Local Bodies	Full powers.
5	To sanction the renting of office accommodation	Full powers within the budget provision.
6	To sanction expenditure for repairs and alterations to hired and requisitioned buildings	Full powers within the budget provision.
7	To sanction expenditure on all types of works for the buildings owned by the Bureau	Full powers within the budget provision.
8	To sanction expenditure for acquiring land and building	Full powers subject to approval of Central Government.
9	To sanction expenditure for construction of building for new offices of the Bureau	Full powers subject to approval of Central Government.
10	To sanction advance of pay to an officer under transfer	Full powers.

Sl. No.	Power	Extent
11	To sanction the purchase of office equipment.	Full powers.
12	To write off irrecoverable losses of stores, or of public money (including loss of stamps), etc.	Full powers of Head of Department as given in "Delegation of Financial Power Rules" of the

Sl. No.	Power	Extent
		Government of India as amended from time to time subject to report to the Executive Committee.
13	To sanction tours and to counter-sign TA bills of employees.	Full powers.
14	To allow travel by air to employees.	Full powers in the case of non-entitled employees.
15	To sanction expenditure on entertainment and refreshments.	Full powers within the budget provision.
16	To sanction expenditure on grants-in-aid for welfare of employees.	Full powers within the budget provision.
17	To sanction grants-in-aid for research and testing.	Full powers within the budget provision.
18	To sanction TA and DA to Governing Council and committee members as admissible under the regulations.	Full powers.
19	To sanction TA/DA for foreign travel to expert and committee members for participation in International Standardisation.	Full powers as per guidelines approved by Executive Committee in case of expenditure being met from Bureau's own funds.
20	To sanction payment of honorarium/fee to outside experts for special service or advice.	Full powers.
21	To sanction demurrage/wharfage charges.	Full powers of Head of Department as given in "Delegation of Financial Power Rules" of the Government of India as amended from time to time subject to report to the Executive Committee.
22	To sanction loans and advances to employees as per instructions issued by the Government of India as amended from time to time.	Full powers.
23	To permit a permanent employee to retain lien on a post under the Bureau:	a) In case of employment in Central/State Government Department, Public Sector Undertaking or autonomous body. Initially up to two years extendable by one more year in exceptional cases. b) In case of deputation to developing countries on Government basis. Initially up to two years extendable by another three years.
24	To transfer an employee.	Full powers for Annual rotational transfer as per notified policy up to Scientist E and equivalent. Any subsequent transfer during the year up to Scientist E and equivalent shall be with the approval of Central

Sl. No.	Power	Extent
		Government. The Scientists F & G and equivalent shall be transferred with approval of Central Government.
25	To sanction, grant and to permit acceptance of honorarium.	Full powers as per instructions issued by the Government of India as amended from time to time.
26	To allow mileage allowance by a route other than the shortest.	Full powers, provided selection of the route is in Bureau's interest.
27	To decide the shortest of two or more routes.	Full powers.
28	To decide whether a particular absence is absence on duty.	Full powers.
29	To withhold pay and allowances in case of absence from duty without authorisation or grant of leave of an employee.	Full powers of Head of Department as given in "Fundamental Rules and Supplementary Rules" of the Government of India as amended from time to time subject to report to the Executive Committee.
30	To order destruction of records.	Full powers.

Sl. No.	Power	Extent
31	To order sale, by auction or otherwise of unserviceable stores or perishable articles in the interest of the Bureau.	Full powers.
32	To fill substantively all vacant posts upto the rank of Scientist E and equivalent (This power includes the power to appoint, to confirm and terminate.)	Full powers as per concerned regulations.
33	To make officiating appointment.	Full powers for posts upto Scientist E and equivalent upto six months. However, for the posts of Scientist F & G and equivalent, approval of Central Government shall be obtained. Further, for any officiating appointment beyond six months, approval of Central Government shall be taken.
34	To allow an employee to count extraordinary leave for increments.	Full powers as per instructions issued by the Government of India as amended from time to time.
35	To grant subsistence allowance to an employee under suspension.	Full powers.

Sl. No.	Power	Extent
36	To sanction telephone installations.	Full powers.
37	To nominate delegations to international meetings after consulting the concerned Division Council/Sectional Committee of the Bureau and other interests concerned with the subject matter under discussion.	Full powers within the budget provision.
38	To decide the scope and extent of insurance of Bureau's property and sanction expenditure.	Full powers.
39	To sponsor an employee for undergoing a specialised course of training and to sanction expenditure thereon.	Full powers within the budget provision.
40	To grant special pay to employees.	Full powers as per instructions issued by the Government of India as amended from time to time.
41	To grant pre-mature increments to employees.	Full powers as per instructions issued by the Government of India as amended from time to time.
42	To appoint officers as certification officers and furnish them with a certificate of appointment.	Full powers.
43	To authorise an officer or officers to authenticate orders and decisions of, and other instruments issued, by the Bureau.	Full powers.
44	To exempt use of any name, mark or trade-mark referred to in section 26 of the Act from the operation thereof in accordance with the provisions of rule 36.	Full powers.
45	To obtain from licensees any information and samples of any material or substance used in relation to any article or process.	Full powers.
46	To appoint persons on contract or on tenure basis to meet the exigencies of work.	Full powers with prior approval of Central Government.

Sl. No.	Power	Extent
47	To report or review or accept on annual performance appraisal of Group A officers.	Full powers up to Scientist E and equivalent. However, the report on annual performance appraisal of Deputy Director General (Administration), Deputy Director General (Finance), and Activity Heads of Scientific Cadre shall be sent to administrative ministry for review and acceptance. The representation or appeal on annual performance appraisal report where Director General is the reporting or reviewing or accepting authority shall be decided by the administrative ministry.

..... The Bureau of Indian Standards (Powers and Duties of Director General) Regulations, 2018

3. Initial constitution and application. -

- (1) These regulations shall apply to the Laboratory Technical Posts mentioned in column
- (2) of the First Schedule:

Provided that the services rendered by the incumbents to these posts in the erstwhile Indian Standards Institution on a regular basis shall be counted for the purposes of these regulations.

(2) The personnel holding the posts of Senior Master Technician, Master Technician, Senior Technician and Technician immediately before the commencement of these regulations on regular basis shall be deemed to have been appointed in accordance with the provisions of these regulations and the regular continuous service of such persons in their respective posts immediately before the commencement of these regulations shall count for the purposes of probation, confirmation, seniority, qualifying service for promotion and pension in the service

.....

BIS (Recruitment to Laboratory Technical Posts) Regulations, 2019

3. Constitution of Scientific Cadre. - There shall be constituted a Scientific Cadre to be called the Bureau of Indian Standards Scientific Cadre consisting of persons appointed to the posts specified in column (2) of the First Schedule and in the disciplines as given in the Second Schedule.

...BIS (Recruitment to Scientific Cadre) Regulations, 2019

Processes of the Scheme.

3. (1) Selection.-

(a) The applicant shall identify,-

- (i) the process and the applicable standard(s) or specified requirements against which it intends to obtain the licence or certificate of conformity;

(ii) the resources to be used in the operations of the process and provide the details to the Bureau; and (iii) the operations of the process to be outsourced, if allowed in the applicable standard(s)/part of standard(s)/specified requirements, as applicable.

(b) the applicant shall offer sufficient sample during the different stages of the process, if applicable, to the Bureau for successful assessment of the process keeping in view intended scope of the licence or certificate of conformity;

(c) the applicant shall prepare a process manual which is to be implemented for ensuring conformity of process to the standard(s)/part of standard(s)/specified requirements, as applicable;

(d) the applicant may apply for grant of licence or certificate of conformity in Form - I annexed to this scheme along with necessary documents and fee;

(e) the Bureau may require evidence to be produced by the applicant that the process in respect of which licence or certificate of conformity has been applied for conform to the standard(s)/part of standard(s)/specified requirements, as applicable;

(f) the applicant, before making an application to the Bureau, shall have been in operation for at least one complete cycle time of the process, for which the application is made;

(g) the Bureau may arrange assessment for verification of process and/or testing on the site and/or third party laboratory, as applicable.

(2) Determination.-

(a) The Bureau may call for required documents or sample or any supplementary information or any documentary evidence from the applicant in support of or to substantiate any statement made in the application, within such time as may be directed by the Bureau;

(b) if the applicant is not furnishing any evidence under clause (a), application shall be summarily rejected by the Bureau;

(c) if the documents or information or evidence furnished by the applicant and test results, if applicable, are found to be satisfactory, the application may be processed further for grant of licence or certificate of conformity.

(d) for evaluation of the process, the Bureau shall prepare an assessment plan and may arrange on-site assessment visit(s) to the applicant premises and/or outsourced premises, if required, in consultation with the applicant to carry out necessary evaluation that may include the following activities, namely:-

(i) verification of documents submitted by the applicant;

(ii) discussion on the adequacy and appropriateness of the process manual;

(iii) validation of the operations of the process, if applicable;

(iv) testing and evaluation of process and process outputs including evidence of conformity;

(v) assessment of the resources used in the process;

(vi) interview and communication with the process personnel and assessment of their competence;

(vii) assessment of contractors, subcontractors, franchisees etc., where the operations of process are outsourced;

(viii) assessing the management and control of documentation, including any necessary aspects to address the confidentiality and privacy requirements;

(ix) on-site visits, at the physical locations or at any virtual locations, where the operations of the process are carried out;

(x) witnessing of the process;

(xi) on-site testing and drawal of sample for third party laboratory testing, as applicable;

(xii) if the whole process is a combination of multiple processes and/or is of long duration, continuous evaluation may be planned.

(e) any inadequacy or non-conformity observed during the assessment shall be communicated in writing to the applicant.

(3) Review.-

(a) The assessment report shall be reviewed on the basis of the activities specified under clause (d) of sub-paragraph (2) of paragraph 3 for their correctness and conformance to the standard(s)/part of standard(s)/specified requirements, as applicable.

(b) The test results, if applicable, shall be reviewed for their correctness and conformance to standard(s)/part of standard(s)/specified requirements, as applicable, and in case duration of a test is longer than a month, in-house or third party laboratory report may be submitted by the applicant for grant of licence or certificate of conformity and same shall be reviewed on receipt of third party laboratory report.

(4) Decision. - The decision on grant of licence or certificate of conformity shall be taken by the Bureau,-

(a) on payment of applicable fee as specified in paragraph 5 of this scheme; and (b) if the Bureau is satisfied that the applicant has necessary infrastructure and established the evidence of conformity of the process performed to the standard(s)/part of standard(s)/specified requirements, as applicable

(5) Attestation.- The Bureau shall grant the licence or certificate of conformity in Form - II annexed to this scheme indicating the scope of licence or certificate of conformity, licence or certificate number, address of the applicant, validity of licence or certificate, details of the standard(s)/part of standard(s)/specified requirements, as applicable.

(6) Surveillance.-

(a) The Bureau may carry out surveillance assessment of the certified organisation either with or without prior intimation;

(b) the need for carrying out the surveillance assessment shall be decided keeping in view the risk associated and any variation observed during such assessment shall be communicated to the certified organisation.

BIS (Conformity Assessment) Amendment Regulations, 2020

3. Application. – These regulations shall apply to posts mentioned in column (2) of the Schedule: Provided that the services rendered by the incumbents to these posts in the erstwhile Indian Standards Institution on a regular basis shall be counted for the purpose of these regulations.

3. Processes of the Scheme.– (1) Selection.–

(a) The manufacturer shall identify,- (i) the product and the applicable specified requirements against which it intends to obtain the licence or certificate of conformity;

(ii) the application shall be submitted in Form – I annexed to this Scheme,

(iii) the following details pertaining to the product shall be submitted in a technical file for the product along with the application:-

(1) product description with details of variety or grades or type or size as applicable;

(2) Specified requirements applicable for the product;

(3) photograph (s) for identification of the product;

(4) manufacturer's name and complete address;

(5) detail for identification and traceability of product like brand name, trade mark, date of manufacturing, batch or lot or serial number etc. as applicable;

(6) detail of design of the product including drawing(s) as applicable;

(7) description of manufacturing process as relevant;

(8) raw material details as applicable;

(9) report of compliance of the product to the specified requirement which may include test report from third party laboratory or from manufacturer's own laboratory as applicable;

(10) details of in-house quality assurance measures including inspection, test plan and facilities; as applicable;

(11) instructions for use, maintenance, installation, safe operation of the product; as applicable; and

(12) any other requirement specified for the product. (b) in case of foreign manufacturers, an authorised Indian representative based in India shall be nominated by the manufacturer in Form-II annexed to this Scheme.

(2) Determination.-

(a) the Bureau on receipt of an application will examine within fifteen days that the applicant has submitted all required documents along with the application.

(b) when the application is complete, the Bureau shall examine the conformity of the product to the specified requirement by evaluating the technical file.

(c) The evaluation will be completed within forty-five working days and may include one or combination of the following:-

(i) desk evaluation of technical file by the Bureau;

(ii) inspection and evaluation of technical file through visit to the manufacturing premises and any other site, if required;

(iii) inspection and evaluation of technical file and including management system requirements through visit to the manufacturing premises and any other site, if required.

(d) any inadequacy or non-conformity observed during the evaluation shall be communicated in writing to the applicant.

(3) Review.- The evaluation report shall be reviewed on the basis of the activities specified for their correctness and conformance to the specified requirements.

(4) Decision.- The decision on grant of licence or certificate of conformity shall be taken when the Bureau is satisfied based on the findings of the review and conformity of the product to the specified requirement.

(5) Attestation.- The Bureau shall grant the licence or certificate of conformity in Form - III and Form - IV respectively annexed to this scheme indicating its scope, licence or certificate number, address of the applicant, validity of licence or certificate, details of the specified requirements:

Provided that in case of foreign manufacturer, the authorised Indian representative of the firm shall duly execute following on a non-judicial stamp paper of rupees one hundred to be submitted to the Bureau: (i) an agreement for grant of licence as per Form - V annexed to this scheme;

(ii) an indemnity bond for grant of licence or certificate of conformity as per Form - VI annexed to this scheme: Provided further, that a performance bank guarantee for US Dollars ten thousand issued by any bank having Reserve Bank of India approved branch in India shall be submitted by the foreign manufacturer or alternatively, performance bank guarantee submitted by the foreign manufacturer in equivalent Indian rupees for US Dollars ten thousand as on the date of grant or renewal of licence may also be accepted by the Bureau.

(6) Surveillance.-

(a) The Bureau may carry out surveillance assessment of the certified body holding the licence either with or without prior intimation.

(b) the need for carrying out the surveillance assessment and market surveillance which may include visit at the site of installation shall be decided keeping in view the risk associated. (c) the Bureau may obtain feedback from buyers. (

d) any variation observed during such assessment shall be communicated to the certified body.

3. In the said regulations, for regulation 3, the following regulation shall be substituted, namely:- "3. Application for certificate of registration. -

(1) A jeweller shall apply for grant of certificate of registration to sell precious metal articles notified under sub-section (1) of section 14 of the Act.

(2) The application under sub-regulation (1) shall be made to the Bureau in Form-I, annexed to these regulations.

(3) The decision of the Bureau with the grounds of rejection shall be communicated in writing to the applicant.

(4) If a jeweller has five or more outlets anywhere in India, he can opt for the certificate of registration at corporate level covering various retail outlets in one certificate."

3. In the said regulations, in Schedule-II, in Scheme -IV, in paragraph 5, in sub-paragraph (2), for the proviso, -

(a) with effect from 1st day of June, 2023, the following proviso shall be substituted namely:- "Provided that a concession of eighty per cent shall be given to micro enterprises and twenty per cent to small and medium enterprises;"

(b) with effect from 1st June, 2026, the following proviso shall be substituted, namely: - "Provided that a concession of twenty per cent shall be given to micro small and medium enterprises".

3. In the said regulations, in Schedule-II, in Scheme-IV, in paragraph 5, in sub-paragraph (2), for the proviso, -

(a) with effect from the date of its publication in the Official Gazette, the following proviso shall be substituted namely:— "Provided that a concession of eighty per cent. shall be given to micro enterprises and start-ups, fifty per cent. shall be given to small enterprises and twenty per cent. shall be given to medium enterprises. Explanation 1: For the purpose of this proviso, the expression micro, small and medium enterprises shall have the meaning assigned to it in the Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006). Explanation 2: A start-up shall have the meaning as assigned to it in the Income-tax Act, 1961 (43 of 1961).";

(b) with effect from 1st June, 2026, the following proviso shall be substituted, namely:— "Provided that a concession of twenty per cent. shall be given to micro, small and medium enterprises. Explanation: For the purpose of this proviso, the expression micro, small and

medium enterprises shall have the meaning assigned to it in the Micro, Small and Medium Enterprises Development Act, 2006 (27 of 2006).”.

“Annexure - I (Refer sub-paragraphs (1) and (2) of paragraph 5 of Scheme-III) Fee Structure 3. Application fee* (a) Large industrial enterprises Rs 1,000.00 (b) Micro, small and medium industrial enterprises Rs 500.00 (c) Central/State Government Organisations Rs 500.00

Note: All libraries, laboratories, schools, colleges, polytechnics, training institutes, research institutes and health care establishments, Central/State/Local Government and charitable organisations working on no profit- no loss basis irrespective of their size shall be considered as small enterprises.

4. Audit fee*

a) For units located within India:

- i) Large industrial enterprises Rs 12,000.00 per manday
- ii) Small and medium industrial enterprises Rs 9,000.00 per manday
- iii) Central/State Government Organisations Rs 9,000.00 per manday
- iv) Micro enterprises Rs 3,000.00 per manday

Note 1: Travel limited to a distance of 250 kilometers from the location of the unit and stay of auditors on actual basis shall be borne by the applicant or licence holder or certificate of conformity holder.

Note 2: All libraries, laboratories, schools, colleges, polytechnics, training institutes, research institutes and health care establishments, Central/State/Local Government and charitable organisations working on no profit- no loss basis irrespective of their size shall be considered as small enterprises.

(b) For units located outside India: (i) Rs. 12,000.00 per manday shall be chargeable. (ii) The holder of licence or certificate of conformity shall bear all expenses, including cost to the Bureau of Indian Standards of the man-days spent by the Bureau of Indian Standards certification officer(s) in connection with the audit (from the time of departure from the place of posting till return thereto), as decided by the Bureau of Indian Standards in its absolute discretion.

Establishment of Bureau and Constitution of Governing Council. (1) With effect from such date as the Central Government may, by notification in the Official Gazette, appoint in this behalf, there shall be established a national body for the purposes of this Act, a Bureau, to be called the Bureau of Indian Standards.

(2) The Bureau shall be a body corporate by the name aforesaid, having perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both movable and immovable, and to contract and shall by the said name sue and be sued.

(3) The members of the Governing Council shall constitute the Bureau and general superintendence, direction and management of the affairs of the Bureau shall vest in the Governing Council, which shall consist of the following members, namely: –

(a) the Minister in-charge of the Ministry or Department of the Central Government having administrative control of the Bureau who shall be ex officio President of the Bureau;

(b) the Minister of State or a Deputy Minister, if any, in the Ministry or Department of the Central Government having administrative control of the Bureau who shall be ex officio Vice-President of the Bureau, and where there is no such Minister of State or Deputy Minister, such person as may be nominated by the Central Government to be the Vice-President of the Bureau;

(c) the Secretary to the Government of India of the Ministry or Department of the Central Government having administrative control of the Bureau, ex officio;

(d) the Director General of the Bureau, ex officio;

(e) such number of other persons to represent the Government, industry, scientific and research institutions, consumers and other interests, as may be prescribed, to be appointed by the Central Government.

4. Term of office of members. - (1) Members appointed under clause (e) to clause

(m) of sub-rule (1) of rule 3 shall hold office for a period of two years and shall be eligible for reappointment.

(2) A member appointed under sub-rule (1) of rule 3 who desire to resign from

membership of the Governing Council shall forward his letter of resignation under his own hand to the Central Government and such resignation shall take effect from the date of its acceptance by the Central Government or on the expiry of a period of one month from the date of its receipt by the Central Government, whichever is earlier.

(3) When a vacancy occurs by resignation of a member under sub-rule (2) or otherwise,

the Central Government shall take steps to fill the vacancy within a period of six months from the date of its occurrence by making an appointment from amongst the category of persons to which the person who vacated the office belonged and the person so appointed shall hold office for the remainder of the term of office of the member in whose place he is appointed.

(4) A person shall be disqualified for being appointed as a member or shall be removed from membership by the Central Government if he,-

(a) has been convicted and sentenced to imprisonment for an offence, which, in the opinion of the Central Government, involves moral turpitude; or

(b) is an undischarged insolvent; or

(c) is of unsound mind and stands so declared by a competent court; or

(d) has been removed or dismissed from the service of the Government or a body corporate owned or controlled by the Government; or

(e) has in the opinion of the Central Government such financial or other interest in the Bureau as is likely to affect prejudicially the discharge by him of his functions as a member:

Provided that no member shall be removed on the ground that he has become subject of the disqualification mentioned under clause (e) unless he has been given a reasonable opportunity of being heard in the matter.

BIS Rules, 2018 incorporating all amendments

4. Application for grant of licence to use or apply a Standard Mark.-

(1) An application for grant of licence to use or apply a Standard Mark under section 13 shall be made to the Bureau in the form specified in the applicable Scheme in Schedule-II.

(2) The processes involved in grant of licence and fee, shall be as specified in the Scheme in Schedule-II.

(3) On receipt of application under sub-regulation (1), the Bureau may make enquires for verification of the particulars set out in the application and also such other enquiries as it may deem necessary.

(4) The Bureau may ask the applicant or its authorised representative to appear before it for personal representation before the grant of licence.

(5) The authorised representative specified under sub-regulation (4) shall be based in India.

(6) An application which is not complete in all respects or does not conform to the requirements of subregulation (1) and (2) shall be rejected by the Bureau: Provided that before rejecting an application, the applicant shall be given an opportunity to remove, within thirty days of the date of receipt of relevant communication from the Bureau, such objections as may be indicated by the Bureau:

Provided further that the Bureau may on sufficient reason being shown, extend the time not exceeding thirty days, as the Bureau may consider fit to enable the applicant to remove such objections: Provided also that the Bureau shall, give a reasonable opportunity to the applicant of being heard, either in person or through a representative authorised by him in this behalf, and may take into consideration any fact or explanation furnished by the applicant or his representative, as the case may be.

Complaint 4. (1) The Bureau shall acknowledge and investigate any complaint received regarding quality of the product bearing Standard Mark. (2) The action for closure of complaint shall be completed within ninety days, excluding the testing time, where testing of the product is involved.

The Bureau of Indian Standards (Conformity Assessment) Regulations, 2018

4. Composition and Functions of Finance Advisory Committee. – (1) The Finance Advisory

Committee shall consists of the following members, namely:-

(i) Special Secretary or Additional Secretary and Financial Adviser, Ministry of Consumer Affairs, Food and Public Distribution - Chairman;

(ii) Director General of the Bureau;

(iii) Additional Secretary or Joint Secretary, Department of Consumer Affairs in the Ministry of Consumer Affairs, Food and Public Distribution;

(iv) one representative of the National Institute of Financial Management, Faridabad;

(v) one representative of the Office of Comptroller General of Accounts;

(vi) Chief Financial Officer of Bureau of Energy Efficiency;

(vii) any other member, as nominated by the Chairman;

(viii) Deputy Director General (Finance) of the Bureau - Member-Secretary.

(2) The Finance Advisory Committee shall advise on policy matters relating to –

(i) long-term mobilisation of financial resources;

(ii) annual budget; and

(iii) annual financial statements.

.. BIS (Advisory Committees) Regulations, 2018 incorporating all amendments

4. Method of Recruitment. – The method of recruitment to the said posts, level in pay matrix, age-limit, qualifications and other matters connected therewith shall be as specified in column (4) to (10) of the First Schedule.

.....BIS (Recruitment to Laboratory Technical Posts) Regulations, 2019Complaints. 4. (1) Whenever any complaint regarding non-conformity of the process to the standard(s)/part of standard(s)/specified requirement, as applicable, is received by the Bureau, the same shall be investigated and investigation at complainant end shall precede the investigation at the certified organisation. (2) In case the complaint is established, - (a) steps shall be taken to advise the certified organisation to arrange redressal; (b) licence or certificate of conformity may be suspended and certified organisation may be advised to take corrective actions and suspension may be revoked after satisfactory verification of corrective action; (c) in case it is established that certified organisation has indulged in any of the activity leading to establishment of any of the conditions given in sub-paragraph (1) of paragraph 12 of this Scheme, licence or certificate of conformity may be cancelled

BIS (Conformity Assessment) Amendment Regulations, 2020

4. Method of Recruitment. – The number of posts, the level in the pay matrix, the method of recruitment to the said posts, age-limit, qualifications and other matters connected therewith, shall be as specified in columns (2) to (10) of the Schedule. Provided that the maximum age-limit, tenure and deputation allowance for appointment on deputation basis shall be in accordance with the Central Government guidelines.

4. Complaints.– (1) Whenever any complaint regarding non-compliance of requirements or non-conformity of the product to the specified requirement is received by the Bureau, the same shall be investigated and investigation at complainant end may generally precede the investigation at the certified body. (2) In case the complaint is established, – (a) steps shall be taken to advise the certified body to arrange redressal; (b) licence may be suspended, and certified body may be advised to take corrective actions and suspension may be revoked after satisfactory verification of corrective action; (c) in case it is established that the certified body has indulged in any of the activity leading to establishment of any of the conditions given in sub-paragraph (1) of paragraph 12 of this Scheme, licence or certificate of conformity may be cancelled.

4. In the said regulations, in regulation 4, – (i) sub-regulation (1) shall be omitted; (ii) in sub-regulation (2), for the words “a period of five years”, the word “lifetime” shall be substituted.

4. Licence fee for organisations with multiple service outlets* For each additional site (with similar activities) to be covered under the scope, additional licence fee to be paid for each site shall be 50 per cent of the licence fee or certificate of conformity fee/ re-certification fee of the respective category per site.

(4) The term of office of the members referred to in clause (e) of sub-section (3) and the manner of filling vacancies among, and the procedure to be followed in the discharge of their functions by the members, shall be such as may be prescribed: Provided that a member, other than an ex officio member of the Bureau of Indian Standards constituted under the Bureau of Indian Standards Act, 1986, shall, after the commencement of this Act, continue to hold such office as member till the completion of his term. **63 of 1986.**

(5) The Governing Council may associate with itself, in such manner and for such purposes as may be prescribed, any person whose assistance or advice it may desire in complying with any of the provisions of this Act and a person so associated shall have the right to take part in the discussions of the Governing Council relevant to the purposes for which he has been associated but shall not have the right to vote.

(6) The Governing Council may, by general or special order in writing, delegate to any member, the Director General or any other person subject to such conditions, if any, as may be specified in the order, such of its powers and functions under this Act except the powers under section 37 as it may deem necessary.

4. (1) The Governing Council may, with the prior approval of the Central Government, by notification in the Official Gazette, constitute an Executive Committee which shall consist of the following members, namely **Executive Committee of Bureau.**

(a) Director General of the Bureau, who shall be its ex officio Chairman; and

(b) such number of members, as may be prescribed. (2) The Executive Committee constituted under sub-section (1) shall perform, exercise and discharge such functions, powers and duties of the Bureau, as may be delegated to it by the Governing Council.

5. Proceedings of the Governing Council.- (1) The President, or in his absence the Vice-President, shall preside at the meetings of the Governing Council:

Provided that in the absence of both the President and the Vice-President, the members present at the meeting shall elect one from amongst themselves to preside over the meeting.

(2) At least one meeting of the Governing Council shall be held every year:

Provided that the President may at his discretion convene more than one meeting in a year if he considers it necessary.

(3) A notice of not less than twenty-one days from the date of issue shall ordinarily be given to every member for each meeting of the Governing Council:

Provided that if it is necessary to convene an emergency meeting, a notice of not less than seven days shall be given to every member.

(4) Every notice of meeting of the Governing Council shall specify the place and the day and hour of the meeting.

(5) The President shall cause to be prepared and circulated to the members, at least seven days before the meeting, an agenda for the meeting:

Provided that where an emergency meeting is convened, an agenda for such meeting may be circulated to the members at the meeting.

(6) Seven members shall form the quorum:

Provided that if any meeting is adjourned for want of quorum, the adjourned meeting may be called on a date not later than seven days from the date of the original meeting to transact the business regardless of the quorum.

(7) Each member including the President shall have one vote and in the case of an equality of votes on any question to be decided by the Governing Council, the President, or the Vice-President or the member presiding over such meeting shall in addition, have a casting vote.

(8) The proceedings of each meeting shall be circulated to each member of the Governing Council which shall be confirmed at the next meeting with or without modifications.

....BIS Rules, 2018 incorporating all amendments

5. Grant of licence to use or apply a Standard Mark.- (1) The Bureau on being satisfied that the applicant is eligible for grant of licence, shall grant licence to use or apply a Standard Mark in form specified in the applicable Scheme in Schedule-II. (2) The grant of licence under sub-regulation (1) shall be subject to the payment of fee specified in the applicable Scheme in Schedule-II.

Fee

5. (1) The application fee, renewal application fee and annual licence fee shall be rupees one thousand each.

(2) The marking fee for the use of Standard Mark shall be as specified in the Annexure – I.

(3) The actual marking fee or minimum marking fee, whichever is higher shall be payable by the licensee every year.

Note 1: The actual marking fee for the first year shall be calculated by multiplying the unit rate with the quantity (units) marked during the first nine months

Note 2: The actual marking fee for subsequent years shall be calculated on year-to-year basis after the first nine months.

(4) In case of cancellation of a licence, marking fee shall not be refunded by the Bureau:

Provided that when an Indian Standard is withdrawn but not superseded by any other standard, proportionate marking fee shall be refunded.

(5) In case of extension of scope of licence, an amount of rupees five thousand shall be chargeable per variety or, where grouping guidelines are available, per group of varieties.

(6) For any inspection other than surveillance inspection or inspection carried out for complaint investigation, an inspection fee of rupees seven thousand per day shall be levied;

(7) When test certificate based on pre-despatch inspection is required to be issued, such inspection fee at the rate of rupees ten thousand per day shall be payable by the applicant.

(8) The testing fee of samples, other than those which may be drawn during surveillance or complaint investigation, shall be borne by the applicant or the licensee, as the case may be.

The Bureau of Indian Standards (Conformity Assessment) Regulations, 2018

5. Composition and Functions of Conformity Assessment Advisory Committee.- (1) The

Conformity Assessment Advisory Committee shall consists of the following members, namely:-

- (i) Director General of the Bureau - Chairman;
 - (ii) one representative not below the rank of Joint Secretary or equivalent from each of the following–
 - (a) Department dealing with Trade Policy (World Trade Organisation or Technical Barriers to Trade) in the Ministry of Commerce and Industry;
 - (b) Standardisation, Testing and Quality Certification;
 - (c) Food Safety and Standards Authority of India;
 - (d) Director General, Services Export Promotion Council;
 - (e) Department of Consumer Affairs in the Ministry of Consumer Affairs, Food and Public Distribution;
 - (f) Ministry of Electronics & Information Technology.
 - (iii) one representative from Industry, Trade and their Associations;
 - (iv) one representative from any recognised consumer organisation;
 - (v) any other member as nominated by the Chairman;
 - (vi) Deputy Director General (Certification) of the Bureau - Member-Secretary.
- (2) The Conformity Assessment Advisory Committee shall advise on -
- (i) policy matters relating to Conformity Assessment;
 - (ii) development of conformity assessment activities of the Bureau in the country and abroad;
 - (iii) co-ordination of conformity assessment activity with other organisations in the country and abroad;
 - (iv) surveys and surveillance;
 - (v) review conformity assessment schemes and suggest improvements;
 - (vi) other matters regarding conformity assessment .. **BIS (Advisory Committees) Regulations, 2018 incorporating all amendments**

5. Direct Recruitment. – (1) Where any posts specified in column (2) of the First schedule is required to be filled by direct recruitment, the following procedure shall be followed, namely:-

- (i) any vacancy arising in the List of Disciplines in respect of the post of Technical Assistant (Laboratory) or List of Trades in respect of the post of Senior Technician or Technician, as specified in the Second Schedule shall be advertised in the Employment News, Rozgar Samachar and at least two leading newspapers and also on the websites of the Bureau and the Department

of the Central Government having administrative control of the Bureau giving full information regarding number of such posts, reservation for the Scheduled Castes, the Scheduled Tribes, ex-Servicemen and other special categories of persons as specified by the Central Government from time to time, age-limit, the qualifications and experience, as specified in the First Schedule and such other matter as may be necessary;

(ii) candidates possessing the qualifications, experience and age-limit as specified in the First Schedule shall be eligible for the post:

Provided that the upper age-limit up to the age of fifty years may be relaxed in the case of serving officers and employees of the Bureau;

(iii) a written or on-line examination shall be conducted by the Bureau, departmentally or through a professional institution or agency, as may be decided by the Director General;

(iv) the number of candidates to be called for skill test or practical test or trade test, which shall be qualifying in nature, shall be not more than four times the number of vacancies advertised in the respective disciplines or trades in the order of merit from among those who have secured at least fifty per cent marks in the written or online test in the concerned discipline or trade and also secured at least fifty per cent marks in the aggregate;

(v) the candidates shall be selected discipline-wise or, as the case may be, trade-wise on the basis of merit as determined by the total marks secured in the written or on-line examination subject to their qualifying the skill test;

(vi) there shall be no interview for recruitment in Group 'B' and Group 'C' posts;

(vii) where posts reserved for the Scheduled Castes, the Scheduled Tribes, ex-Servicemen or other special categories of persons cannot filled on the basis of the criteria laid down in clauses (iv) and (v), the candidates belonging to such category may be selected by giving relaxation as per the Government guidelines, to make-up the deficiency in the reserved quota, subject to suitability of such candidates for selection to the post concerned;

(viii) a waiting list in addition to the select list of successful candidates shall be drawn up for filling up the vacancies which shall remain valid for a period of one year from the date when such list is drawn: Provided that the number of candidates in waiting list shall not exceed fifty per cent of the number of posts advertised;

(2) The candidates appointed by direct recruitment under sub-regulation (1) shall be on probation for a period of two years in accordance with the provisions of the Bureau of Indian Standards (Terms and Conditions of Service of Employees) Regulations, 2007, during which period, they may be required to undergo such training or may be given such responsibilities as may be deemed necessary by the Appointing Authority or may be required to pass departmental examination or examinations for successful completion of probation:

Provided that the module of the training, responsibilities to be given and the departmental examination to be passed for successful completion of probation shall be such as may be

recommended by the Appointing Authority and approved by the Director General from time to time:

Provided further that where the Director General is the Appointing Authority, approval of the Executive Committee shall be obtained.

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BIS (Recruitment to Laboratory Technical Posts) Regulations, 2019

5. Method of recruitment, scale of pay, age-limit, qualifications, etc. – The method of recruitment to the posts of Scientific Cadre, scale of pay, age-limit, qualifications and other matters relating thereto shall be as specified in the First Schedule

BIS (Recruitment to Scientific Cadre) Regulations, 2019

Fee. 5. (1) The application for grant of licence or certificate of conformity shall be accompanied by application fee specified in Annexure - I to this Scheme. (2) The fee specified in Annexure - I shall be payable before grant of licence or certificate of conformity or re-certification or change in scope, as the case may be. (3) In case of cancellation or suspension of licence or certificate of conformity, fee shall not be refunded.

BIS (Conformity Assessment) Amendment Regulations, 2020

5. Direct recruitment. –

(1) Where any posts specified in column

(2) of the schedule is required to be filled by direct recruitment, the following procedure shall be followed, namely:-

(i) vacancies shall be advertised in the Employment News, Rozgar Samachar, leading newspapers and on the website of the Bureau giving, among others, full information regarding number of vacancies, reservation for the Scheduled Castes, the Scheduled Tribes, Persons with Disability and ex-Servicemen and other special categories of persons as specified by the Central Government from time to time, prescribed qualifications, age-limit and experience, etc;

(ii) candidates possessing the prescribed qualifications, experience and age-limit shall be eligible for the post: Provided that the upper age-limit may be relaxed in case of the officers and employees of the Bureau and in respect of such categories of persons as may, from time to time, be notified in this behalf by the Central Government to the extent and subject to the conditions notified in respect of each category Provided further that the upper age-limit may be relaxed for Departmental candidates upto the age of fifty years for the posts for which the prescribed age-limit is less than fifty years, and by five years for posts for which the prescribed age-limit is fifty years or more;

(iii) all posts of direct recruitment shall be filled through competitive examination as under:-

(a) a written or online examination, including shorthand, typewriting and other practical tests, shall be conducted by the Bureau departmentally or through a professional institution or agency on dates and at places to be decided by the Director General;

(b) for Group _A_ posts, the candidates shall be selected by giving eighty-five per cent weightage to the written or online examination and fifteen per cent weightage to the interview and the number of candidates to be called for interview shall be not more than four times the number of

vacancies advertised in the order of merit from among the candidates who have secured at least fifty percent marks in the written or online examination: Provided that for Group _B' and Group _C' posts, the selection shall be made without any interview; and (c) for Group _B' and Group _C' posts, the candidates shall be selected on the basis of merit as determined by the aggregate marks obtained in written or online examination and qualifying the prescribed Skill Test viz. Shorthand Test or Typing Speed Test or Trade Test or combination thereof, which shall be qualifying tests only and the number of candidates to be called for skill test shall be not more than four times the number of vacancies advertised, in the order of merit from among the candidates who have secured at least fifty percent marks in the aggregate in the written or online examination;

(iv) (a) in the case of posts to be filled by direct recruitment [other than the method given in sub-regulation (iii)] or deputation, applications received shall be got screened by the Screening Committee consisting of not less than three officers of the Bureau not below the rank of Deputy Director and the senior-most amongst them shall be the Chairman of the committee, to be nominated by the Director General: Provided that at least one officer in the Screening Committee shall be above the rank of the post for which the selection is being made;

(b) the candidates as shortlisted by the Screening Committee shall be considered by the Selection Committee for selection;

(v) where posts reserved for the Scheduled Castes, the Scheduled Tribes, Persons with Disability, ex Servicemen and other special categories of persons are not filled on the basis of the criteria laid down in subregulation

(iii), the candidates belonging to such category may be selected by giving relaxation as per Government guidelines to make-up the deficiency in the reserved quota, subject to suitability of such candidates for selection to the post concerned;

(vi) a waiting list, in addition to the select list of successful candidates, shall be drawn up in order of merit for filling up the vacancies, which shall remain valid for a period of one year from the date such list is drawn: Provided that the number of candidates in waiting list shall not exceed fifty per cent of the number of posts advertised.

(2) The candidates appointed by direct recruitment under sub-regulation

(1) shall be on probation for a period of two years in accordance with the provisions of the Bureau of Indian Standards (Terms and Conditions of Service of Employees) Regulations, 2020, during which period, they may be required to undergo such training or may be given such responsibilities as may be deemed necessary by the Appointing Authority or may be required to pass departmental examination or examination for successful completion of probation: Provided that the module of the training, responsibilities to be given and the departmental examination to be passed for successful completion of probation shall be such as may be recommended by the Appointing Authority and approved by the Director General from time to time: Provided further that where the Director General is the Appointing Authority, approval of the Executive Committee shall be obtained.

5. Fee.- The fee for each product or group of products shall be notified by the Bureau.

5. In the said regulations, in regulation 5, after sub-regulation (3), the following sub-regulation shall be inserted, namely:- "(3A) Alteration in the hallmarked jewellery upto fifty per cent. of the

weight of jewellery or upto two grams, whichever is lower, shall be permitted subject to the responsibility of purity on the jeweller.”

5. Flexibility in fee – (a) Relaxation in application fee For subsequent application (i.e. second application submitted by any licensee/applicant), no application fee shall be chargeable. (b) Relaxation in audit fee- (i) If the actual travel cost incurred during an audit is less, the Deputy Director General of the Region may grant relaxation upto Rs 4,000.00 per manday spent in travelling for large industrial enterprises and Rs 3,000.00 per manday spent in travelling for small and medium industrial enterprises. (ii) There shall be no relaxation in audit fee in case of micro enterprise. (c) Relaxation in Licence Fee No licence fee shall be charged for libraries, laboratories, schools, colleges, polytechnics, training institutes, research institutes and health care establishments, Central/State/Local Government and charitable organisations working on no profit- no loss basis irrespective of their size.

5. (1) Subject to any regulations made in this behalf, the Governing Council may, from time to time and as and when it is considered necessary, constitute the following Advisory Committees for the efficient discharge of the functions of the Bureau, namely: – **Advisory Committees of Bureau.**

- (a) Finance Advisory Committee;
 - (b) Conformity Assessment Advisory Committee;
 - (c) Standards Advisory Committee;
 - (d) Testing and Calibration Advisory Committee; and
 - (e) such number of other committees as may be specified by regulations.
- (2) Each Advisory Committee shall consist of a Chairman and such other members as may be specified by regulations.

6. Executive Committee. – (1) The Executive Committee shall perform, exercise, and discharge such of the functions, powers and duties as may be delegated to it by the Governing Council.

(2) The Executive Committee shall consist of the Director General as ex officio Chairman and @thirteen other members, representing the following categories, to be appointed by the Governing Council, with the prior approval of the Central Government, namely:-

- (i) Special Secretary or Additional Secretary and Financial Adviser to the Government of India in the Ministry or Department having administrative control of the Bureau;
- (ii) Special Secretary or Additional Secretary to the Government of India in the

Ministry or Department having administrative control of the Bureau;

*(iia) Joint Secretary to the Government of India in the Ministry or Department having administrative control of the Bureau;

(iii) two persons, each representing different Ministries or Departments of Central Government other than the Ministry or Department having administrative control of the Bureau.

@(iia) Secretary or Principal Secretary of the Department having administrative control over Industries of any one State or Union territory on rotational basis;

@(iib) Secretary or Principal Secretary of the Department having administrative control over Consumer Affairs of any one State or Union territory on rotational basis.

(iv) one person representing consumer organisation;

(v) one person representing industry, trade and their associations;

(vi) two persons representing academic, scientific and research institutions;

(vii) two persons representing public sector enterprises and technical or professional organisations.

(3) The members of the Executive Committee appointed under sub-rule (2) shall hold office for a period of two years and shall be eligible for reappointment.

(4) When a member appointed under sub-rule (2) desires to resign from membership of the Executive Committee, he shall forward his letter of resignation under his own hand to the Director General and such resignation shall take effect from the date of its acceptance by the Director General or on the expiry of a period of one month from the date of its receipt by the Director General, whichever is earlier.

(5) The vacancy caused on resignation, termination etc., of a member of the Executive Committee shall be filled within a period of three months from the date of occurrence by the Bureau with the prior approval of the Central Government.

(6) A meeting of the Executive Committee shall be held at least once in every three months.

(7) Each meeting of the Executive Committee shall be called by giving not less than

fourteen days from the date of issue, notice in writing to every member:

Provided that an emergency meeting may be called by giving not less than three days' notice to every member.

(8) Every notice of a meeting of the Executive Committee shall specify the place and the day and hour of the meeting.

(9) The ex officio Chairman of the Executive Committee shall cause to be prepared and circulated to the members, at least seven days before the meeting, an agenda for the meeting:

Provided that where an emergency meeting is called, an agenda for such meeting may be circulated to the members at the meeting.

(10) The quorum for a meeting of the Executive Committee shall be four.

(11) The proceedings of each meeting shall be circulated to each member of the Executive Committee which shall be confirmed at the next meeting with or without modification.

BIS Rules, 2018 incorporating all amendments

6. Conditions of licence to use or apply a Standard Mark.-

(1) The design of Standard Mark shall be identical to the facsimile given in the licence.

(2) The photographic enlargement or reduction of the Standard Mark may also be used, unless otherwise specified by the Bureau.

(3) The licensee shall be responsible for the conformity of the goods, article, process, system or service to the Indian Standard in relation to which Standard Mark is used or applied.

(4) The licensee shall not use the Standard Mark in relation to goods, articles, process, system or service which are non-conforming or outside the scope of the licence.

(5) If goods and articles in relation to which a Standard Mark has been used do not conform to the requirements of the relevant standard, the Bureau may direct the licensee or his representative to recall the non-conforming goods and articles.

(6) The Standard Mark shall not be used or applied in relation to any goods, article, process, system or service during deferment or suspension, as the case may be, and after expiry or cancellation of the licence.

(7) The licensee shall comply with the provisions of the conformity assessment scheme under which licence is granted, including labelling and marking requirements.

(8) The licensee shall maintain records as specified by the Bureau from time to time.

(9) The licensee shall provide the Bureau all assistance in connection with carrying out inspection or audit or evaluation, as applicable, at its premises.

(10) The licensee shall provide information relating to production and use or applying of Standard Mark as and when it is required by the Bureau.

(11) If the licence is granted to use or apply Standard Mark on goods or articles, the licensee shall provide the list of consignees, distributors, dealers or retailers to whom goods or articles with Standard Mark is supplied.

(12) The licence shall not be transferred to any person without the prior approval of the Bureau.

(13) If a complaint regarding quality of any goods, article, process, system or service bearing Standard Mark is established, the Bureau may direct the licensee or his representative, as the case may be, to repair or replace or reprocess the standard marked goods and articles.

(14) The Bureau shall have the right to amend any of the conditions of licence by giving a notice of thirty days to the licensee.

Labelling and Marking requirements

6. (1) Each product or the package, as the case may be, shall be marked with the Standard Mark, as specified in Annexure-II.

(2) The Standard Mark shall carry the licence number and reference to the Indian Standard in a visible manner and shall be as specified in the licence.

(3) In case the licence number cannot be placed beneath the Standard Mark, it shall be suitably placed close to the Standard Mark in a linear manner.

(4) The product details as per the requirement of the Indian Standard, which may include variety, lot or batch number, date or week of manufacturing, complete address of manufacturer shall be marked on either the product or the packaging or contained in a label attached to the product.

(5) The marking details shall contain reference to the website of the Bureau so that a consumer may verify the authenticity of the standard marked product.

(6) If the Standard Mark cannot be applied on the product or the packaging physically, it shall be given on the test certificate.

(7) For any specific product, additional labelling and marking requirements may be specified by the Bureau in the relevant scheme of inspection and testing shall be complied.

The Bureau of Indian Standards (Conformity Assessment) Regulations, 2018

6. Composition and Functions of Standards Advisory Committee. – (1) The Standards

Advisory Committee shall consists of the following members, namely :-

(i) Director General of the Bureau - Chairman;

(ii) one representative not below the rank of Joint Secretary or equivalent from each of the following–

(a) Ministry of Commerce and Industry;

(b) Ministry of Environment, Forest and Climate Change;

(c) Ministry of New and Renewable Energy;

(d) Ministry of Housing and Urban Affairs;

(e) Service Sector Organisation (Tourism or Education or Railways or Transport);

(f) other Standard Development Organisations (Directorate of Standardisation, Ministry of Defence or Automotive Research Association of India or Indian Road Congress or Research

Designs and Standards Organisation, Ministry of Railways) ;

(g) Bureau of Energy Efficiency;

(h) Quality Council of India;

(i) Institute of repute in the field of academics;

(j) Department of Consumer Affairs in the Ministry of Consumer Affairs, Food and Public Distribution;

(iii) one representative from Industry, Trade and their Associations;

(iv) one representative from any recognised consumer organisation;

(v) any other member as nominated by the Chairman;

(vi) Deputy Director General (Standardisation) of the Bureau - Member-Secretary.

(2) The Standards Advisory Committee shall advise on policy matters relating to –

(i) harmonious development of standards;

(ii) establishment, publication, review and promotion of Indian Standards;

(iii) collaboration with other standards formulating organisations within the country and abroad;

(iv) Bureau's role in the activities of international organisations in relation to standards;

(v) formulation of guidelines for the effective functioning of Division Councils and reviewing their activities;

(vi) recognition or accreditation of institutions engaged in area of standards formulation in India or abroad;

(vii) capacity building or trainings in area of standardisation;

(viii) review standards formulation on important subjects and emerging fields and suggest improvements, constitution of joint committees in multi-disciplinary areas;

(ix) other matters regarding standardisation. .. **BIS (Advisory Committees) Regulations, 2018 incorporating all amendments**

6. Deputation. –

(1) Where any posts specified in column (2) of the First Schedule is required to be filled up by deputation, such posts shall be advertised in at least two leading newspapers and also on the websites of the Bureau and the Department of the Central Government having administrative control of the Bureau giving full information regarding number of posts, prescribed qualifications, age-limit, special expertise, if any, required and the experience as specified in the First Schedule and such other matter as may be necessary: Provided that the maximum age limit for appointment on deputation basis shall not exceed fifty-six years on the closing date of the receipt of the application: Provided further that the period of such deputation shall not ordinarily exceed three years and the maximum period of deputation shall be five years.

(2) The candidates who fulfill the prescribed requirements and are shortlisted by the Screening Committee constituted under regulation 7 shall be called for selection.

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BIS (Recruitment to Laboratory Technical Posts) Regulations, 2019

6. Direct Recruitment of Scientist-B. – (1) Direct recruitment to the post of Scientist-B shall be made in accordance with sub-regulation (3) on the basis of valid GATE score, in respect of those disciplines in the Second Schedule for which GATE is conducted, and by competitive online examination, in respect of those disciplines for which GATE is not conducted.

(2) The discipline wise requirement of scientists shall be determined with the approval of the Executive Committee on the basis of the existing strength of scientists and the discipline-wise vacancies.

(3) The manner of filling up vacancies shall be as under:

(a) vacancies as determined shall be advertised on All-India basis in the leading newspapers giving, among others, full information regarding discipline wise number of posts, reservation for Scheduled Castes, Scheduled Tribes, Other Backward Classes and Persons with Disability, the qualifications and age requirement;

(b) candidates possessing Bachelor's Degree in Engineering or Technology or Medicine or equivalent or Master's Degree in Natural Sciences or equivalent with not less than sixty per cent marks [fifty per cent for Scheduled Castes and Scheduled Tribes] with maximum age of thirty years shall be eligible to apply for the post of Scientist-B: Provided that the upper age limit may be relaxed in case of officers and employees of the Bureau and in respect of such categories of persons as may, from time to time, be notified by the Central Government to the extent and subject to the conditions notified in respect of each category;

(c) the candidates having valid GATE score shall be shortlisted for interview and the number of candidates to be called for interview or group discussion and interview shall be not more than four times the number of vacancies advertised in the respective disciplines in order of merit of valid GATE score;

(d) for appointment through competitive online examination, a competitive online examination shall be conducted by the Bureau through a professional institution or agency as decided by the Director General and the number of candidates to be called for interview or group discussion and interview shall not be more than four times the number of vacancies advertised in the respective disciplines, in order of merit from among those who have secured at least fifty percent marks in the competitive online examination;

(e) candidates shall be selected discipline wise by one or more Selection Committees on the basis of merit as determined by the aggregate marks obtained by giving eighty five percent weightage to GATE score prescribed in clause (c) or examination process prescribed in clause (d) and by giving fifteen percent weightage to interview or group discussion and interview under clause (c) and clause (d);

(f) candidates belonging to any of the Scheduled Castes or the Scheduled Tribes or Other Backward Classes may, to the extent the number of vacancies reserved for the Scheduled Castes, the Scheduled Tribes, Other Backward Classes and Persons with Disability cannot be filled on the basis of the criteria laid down in clauses (c), (d) and (e), be selected by giving relaxation to make up the deficiency in the reserved quota, subject to suitability of these candidates for selection.

(g) a reserved list as per merit of successful candidates for filling the vacancies may be drawn which shall remain valid for a period of one year from the date such list is drawn.

BIS (Recruitment to Scientific Cadre) Regulations, 2019

Labelling and marking requirements.

6. (1) The organisation shall use the licence or certificate of conformity number only in conjunction with certified process. (2) The licence or certificate of conformity may be used on sales literature or promotional material. (3) For any specific process, additional labelling and marking requirements may be specified by the Bureau in the relevant process specific guidelines which shall be complied.

BIS (Conformity Assessment) Amendment Regulations, 2020

6. Labelling and marking requirements.– (1) Each product or the package or both shall be marked with the Standard Mark in case of licence, as specified in Annexure – I. (2) The Standard Mark shall carry the licence number and any other reference to the specified requirement in a visible manner and shall be as specified in the licence. (3) If the Standard Mark cannot be applied on the product or the packaging physically, it shall be given on the test certificate. (4) The product details as per the specified requirement which may include, but it is not limited to, variety, lot or batch or serial number, date or week of manufacturing, brand name, trade mark, complete address of manufacturer shall be marked on either the product or the packaging or both contained in a label attached to the product. (5) For certificate of conformity, the certificate of conformity number

shall be marked on the product or package or both. The copy of certificate of conformity shall be provided with the product. (6) For any specific product, additional labelling and marking requirements including usage of Standard Mark under a licence may be specified by the Bureau in the relevant product specific guidelines which shall be complied.

7. In the said regulations, in regulation 7, -

(i) the words “or non-renewal”, wherever they occur, shall be omitted; (ii) in sub-regulations (1) and (2), the words “or not renew” shall be omitted; (iii) in sub-regulations (8) and (10), the words “or not renewed” shall be omitted; (iv) in sub-regulation (12), the words “, non-renewal” shall be omitted

6. No act or proceedings of the Governing Council, under section 3 shall be invalid merely by reason of—

(a) any vacancy in, or any defect in the constitution of the Governing Council; or

***Vacancies,
etc., not to
invalidate act
or
proceedings***

(b) any defect in the appointment of a person acting as a member of the Governing Council; or

(c) any irregularity in the procedure of the Governing Council not affecting the merits of the case.

7. Travelling and daily allowances to Governing Council and Executive

Committee members. -

(1) The members and persons associated with the Governing Council and the members of the Executive Committee representing the Central Government, State Governments, Union territories, Statutory and autonomous bodies and public sector undertakings (other than those specially approved by the Executive Committee), trade, industry and their associations, shall not be eligible to draw any travelling or daily allowance from the funds of the Bureau.

(2) Travelling and daily allowances to members and persons associated with the Governing Council and members of the Executive Committee other than those specified in sub-rule (1), while travelling within the country with prior concurrence of the Director General, may be admissible from the Bureau for attending meetings of the Governing Council and the Executive Committee and discharging any duty as assigned by the

Governing Council or the Executive Committee.

(3) The rates of travelling and daily allowances admissible to the members and persons covered by sub-rule (2) shall be the same as applicable to non officials attending the meetings of committees set up by the Central Government.

(4) Any member who is a Member of Parliament shall not be entitled to any allowance other than compensatory allowance, as defined in clause (a) of section 2 of the Parliament (Prevention of Disqualification) Act, 1959 (10 of 1959) :

Provided that such member shall be entitled to such allowance for meetings held during the intersession period.

Explanation – For the purposes of this sub-rule, “intersession period” means the interval between the adjournment of a House of Parliament of which he is a Member and the reassembly of that House.

BIS Rules, 2018 incorporating all amendments

7. Validity of licence.- A licence to use or apply a Standard Mark shall be valid for a period as specified in the applicable Scheme in Schedule-II.

Conditions of Licence

7. The conditions of licence shall be as provided in regulation 6 of these regulations.

The Bureau of Indian Standards (Conformity Assessment) Regulations, 2018

7. Composition and Functions of Testing and Calibration Advisory Committee. –

(1) The Testing and Calibration Advisory Committee shall consists of the following members, namely: -

(i) Director General of the Bureau - Chairman;

(ii) one representative not below the rank of Joint Secretary or equivalent from each of the following – (a) National Physical Laboratory;

(b) Central Food Technological Research Institute (CFTRI), Mysore;

(c) Laboratory of any one of the Indian Institute of Technology;

(d) National Institute of Solar Energy, Gurgaon;

(e) Indian Toxicology Research Centre, Lucknow;

(f) Director General of Quality Assurance;

(g) National Chemical Laboratory;

(h) Department of Consumer Affairs in the Ministry of Consumer Affairs, Food and Public Distribution;

(i) National Accreditation Board for Testing and Calibration Laboratories (NABL);

(iii) one representative from a private lab of national or international repute;

(iv) any other member as nominated by the Chairman;

(v) Deputy Director General (Laboratories) of the Bureau - Member-Secretary.

(2) The Testing and Calibration Advisory Committee shall advise on policy matters relating to -

(i) establishment, operation and expansion of laboratories;

(ii) testing activities to support research and development programmes of the Bureau;

(iii) participation in national and international accreditation system for testing and also for calibration;

(iv) formulation of guidelines for facilitating the Bureau in recognising any laboratory in India or abroad for the purpose of testing and associated activities;

(v) other matters regarding laboratories.

.. BIS (Advisory Committees) Regulations, 2018 incorporating all amendments

7. Screening Committee for selection by deputation. - (1) Applications received in response to the advertisement for posts to be filled by deputation shall be screened by a Screening Committee consisting of not less than three officers of the Bureau not below the rank of Scientist 'C' or equivalent, to be nominated by the Director General and the senior-most amongst them shall be the Chairperson of the committee. (2) The candidates as shortlisted by the Screening Committee shall be considered by the Selection Committee for selection

BIS (Recruitment to Laboratory Technical Posts) Regulations, 2019

7. Probation and Surety Bond for Scientist-B. - (1) The candidates appointed as Scientist-B on direct recruitment or on promotion shall be on probation for a period of two years during which the Director General shall arrange to give them such training and responsibilities as deemed necessary and prescribe departmental examination or examinations to be passed for successful completion of probation. (2) On expiry of the period of probation, steps shall be taken to obtain the assessment reports of the probationer .

BIS (Recruitment to Scientific Cadre) Regulations, 2019

Conditions of licence and certificate of conformity. 7. The conditions of licence and certificate of conformity shall be as provided in regulation 6 and regulation 14 respectively of these regulations

BIS (Conformity Assessment) Amendment Regulations, 2020

7. Promotions. - (1) For the purpose of promotion, - (i) a post shall be either a selection or a non-selection post as given in the column (5) of the Schedule appended to these regulations; (ii) promotion to a selection post shall be with due regard to seniority and the appropriate Selection Committee shall judge the suitability of eligible employees within the zone of consideration in accordance with the procedure laid down by the Executive Committee from time to time, for promotion taking into account the record of service including Annual Performance Appraisal Reports and recommend the order in which promotions may be made; (iii) promotion to a non-selection post shall be made, on the basis of seniority subject to rejection of unfit as determined from the record of service including Annual Performance Appraisal Reports, by the appropriate Selection Committee; (2) The employees concerned under these regulations shall be entitled to the grant of financial up-gradations under the Modified Assured Career Progression Scheme as admissible to the employees of the Central Government, as per the guidelines laid down by Central Government from time to time.

7. Conditions of licence and certificate of conformity.- (1) The conditions of licence shall be as provided in regulation 6 of these regulations and annexure to Form - II of this scheme. (2) The conditions of certificate of conformity shall be as provided in regulation 14 of these regulations and annexure to Form - III of this scheme. (3) The Bureau may specify any product specific conditions for the licence or certificate of conformity

7. (1) The Central Government shall appoint a Director General of the Bureau.

Director

General.

(2) The terms and conditions of service of the Director General of the Bureau shall be such as may be prescribed.

(3) Subject to the general superintendence and control of the Governing Council, the Director General of the Bureau shall be the Chief Executive Authority of the Bureau.

(4) The Director General of the Bureau shall exercise and discharge such of the powers and duties of the Bureau as may be specified by regulations.

(5) The Director General may, by general or special order in writing, delegate to any officer of the Bureau subject to such conditions, if any, as may be specified in the order, such of his powers and functions as are assigned to him under the regulations or are delegated to him by the Governing Council, as he may deem necessary.

8. Appointment of Director General. - (1) There shall be a Selection Committee for recommending to the Government a panel of names for appointment of the Director General under sub-section (1) of section 7.

(2) The Selection Committee shall consist of the following persons, namely:-

(i) Secretary to the Government of India in the Ministry or the - Chairman
Department having administrative control of the Bureau;

(ii) Secretary to the Government of India in the Department of - Member
Science and Technology;

(iii) Nominee of the Government of India in the Department - Member

of Personnel and Training;

(iv) An outside expert of eminence from the relevant field - Member to be nominated by the Central Government.

(3) The Selection Committee shall consider suitable candidates, including from amongst officers and employees of the Bureau, possessing the following qualifications and experience, namely:-

(a) (i) Essential qualifications : a first class degree in Engineering or Technology or a first class Post Graduate degree in any branch of Science;

(ii) Desirable qualifications: a Post Graduate degree in any branch of Engineering or Technology or a Doctorate in Science or any branch of Engineering;

(b) Experience : at least twenty-five years combined experience in the following areas in the Government or public sector undertakings or autonomous bodies or private sector, namely :-

(i) Industrial Engineering Design or Research;

(ii) Standardisation;

(iii) Quality Control;

(iv) Basic scientific and technical research (in case of research experience in a laboratory, the same should be of national repute);

(v) Administration:

Provided that candidates with Post Graduate degree in Engineering or Doctorate in pure Science or any branch of Engineering having twenty-three years of experience shall be eligible:

Provided further that if the candidate is a Government servant, he shall have the educational qualifications and experience as specified in clauses (a) and (b) and also be eligible for promotion to a post equivalent to Additional Secretary in the Government of India:

Provided also that if a candidate is an employee of a public sector undertaking or an autonomous body, he shall have the educational qualifications and experience as specified in clauses (a) and (b) and at least two years' regular service in a post equivalent to Joint Secretary in the Government of India; and at least two years' experience in senior management level in the case of a candidate working in private sector:

Provided also that on the closing date of receipt of applications, the candidate should have at least two years' service before superannuation.

(4) The recommendations of the Selection Committee shall be sent to the Central Government for taking a decision on the appointment of the Director General.

(5) Notwithstanding anything contained in sub-rule (3), if the Central Government considers it necessary, it may, in the public interest, appoint a suitable officer to the post of Director General under the Central Staffing Scheme, as per the procedure specified in that Scheme.

BIS Rules, 2018 incorporating all amendments

8. Renewal of licence to use or apply a Standard Mark.-

(1) An application for renewal of licence shall be made to the Bureau in the stipulated form along with the fee, as specified in the applicable Scheme in Schedule-II.

(2) The application under sub-regulation (1) shall be made to the Bureau before the expiry of the validity of licence as specified in the applicable Scheme given in Schedule-II.

(3) On receipt of an application under sub-regulation (1), the Bureau may renew or recertify the licence in accordance with the applicable Scheme specified in Schedule-II.

(4) If renewal application with requisite fee is not received before the expiration of the validity, the renewal of licence may be deferred for a period of up to ninety days from the date of its validity: Provided that if renewal application with requisite fee is not received within the period of deferment, the licence shall stand expired after the date of its validity.

(5) If the renewal application is made after the validity of the licence, the application shall be accompanied by late fee of rupees five thousand.

(6) If the renewal application and fee is received and the licence is under suspension, licence shall not be renewed till the suspension is revoked.

(7) If suspension is not revoked till the end of its validity, renewal may be deferred for a period of up to one hundred and eighty days from the date of its validity.

(8) If discrepancies which led to the suspension of the licence are removed during the period of deferment, the licence may be renewed from the date of its validity.

(9) If discrepancies which led to the suspension of the licence are not removed during the period of deferment, the licence shall stand expired after the date of its validity.

Validity of Licence

8. (1) The licence to use Standard Mark shall be granted initially for not less than one year and upto two years.

(2) The licence may be renewed for a further period of not less than one year and up to five years.

(3) The minimum marking fee shall be paid in advance for the validity period of the licence.

The Bureau of Indian Standards (Conformity Assessment) Regulations, 2018

8. Composition and Functions of Consumer Affairs Advisory Committee. – (1) The Consumer Affairs Advisory Committee shall consists of the following members, namely : -

(i) Director General of the Bureau - Chairman;

(ii) Additional Secretary or Joint Secretary, Department of Consumer Affairs in the Ministry of Consumer Affairs, Food and Public Distribution;

@ (iia) Secretaries or Principal Secretaries of the Department having administrative control over Consumer Affairs of any three States or Union territories on rotational basis;

(iii) three representatives from recognised consumer organisations;

(iv) one representative from Federation of Indian Chambers of Commerce and Industry;

(v) one representative from Confederation of Indian Industry;

(vi) any other member as nominated by Chairman;

@ (vii) Deputy Director General of the Bureau dealing with the Consumer Affairs activity - Member-Secretary.

(2) The Consumer Affairs Advisory Committee shall advise on policy matters relating to -

(i) standards formulation activity to ensure that consumer interests and consumer view points are adequately taken care of;

(ii) ways and means to propagate the Certification Marks activity as a means of consumer welfare;

(iii) need for changes in the existing activities and structure of Bureau of Indian Standards, so

as to include the new product or service areas concerning the consumer welfare;
(iv) communication between Bureau of Indian Standards and the common consumers with the objective of enhancing the public image of Bureau of Indian Standards;
(v) participation of consumer organisations in standards formulation work;
(vi) liaison with Central Consumer Protection Council; and
(vii) any other matter related to consumer interest or grievances. .. **BIS (Advisory Committees) Regulations, 2018 incorporating all amendments**

8. Promotion. – (1) Where any posts specified in column (2) of the First Schedule is required to be filled up by promotion, such promotion shall be made on the recommendation of the Selection Committee constituted by the Director General, by selection, from amongst the employees in the lower grade, on the basis of merit or with due regard to seniority. (2) The regular employees shall be entitled to the grant of financial up-gradations under the Modified Assured Career Progression Scheme as admissible to the employees of the Central Government and as amended from time to time. (3) Non-functional Grade I and Grade II shall be granted to laboratory officers in the manner specified in the First Schedule.

BIS (Recruitment to Laboratory Technical Posts) Regulations, 2019

8. Selection to other posts by deputation. – (1) Where the Executive Committee considers it is expedient so to do in the interest of the Bureau, it may fill up such number of posts at the level of Scientist-C and above upto Scientist-G by deputation: Provided that in case of posts of Scientist-F and Scientist-G, approval of Central Government shall also be required. (2) The posts to be filled by deputation shall be advertised in the leading newspapers giving, among others, full information regarding number of posts, prescribed qualifications, age-limit, special expertise, if required and experience as specified in First Schedule. (3) Candidates who fulfill the prescribed requirements and are shortlisted by the Screening Committee constituted under regulation 9 shall be called for selection.

BIS (Recruitment to Scientific Cadre) Regulations, 2019

Validity of licence and certificate of conformity. 8. (1) The licence or certificate of conformity shall normally be granted initially for a period of three years. (2) The licence or certificate of conformity may be re-certified for a further period of up to three years. (3) The period may be extended or reduced depending on the certification decision or revision or superseding of the standard(s)/part of standard(s)/specified requirements, as applicable.

BIS (Conformity Assessment) Amendment Regulations, 2020

8. Appointing Authority. – (1) Appointments to all posts shall be made by the Appointing Authority on the recommendations of the Selection Committees as given in regulation 9: Provided that appointments to all posts of the level of Deputy Director General shall be made with the approval of the Central Government:

Provided further that the appointment to the post of Chief Vigilance Officer on deputation basis requiring approval of the Central Government shall not be referred to the Selection Committee;

8. Validity of licence and certificate of conformity.– (1) The licence shall be granted initially for not less than three years and upto six years. (2) The licence may be renewed for a further period of not less than three years and upto six years. (3) The certificate of conformity shall be applicable to a specific product prototype or lot or batch of product only and will not authorize production

of similar product on continuous basis. (4) The details about validity of licence and certificate of conformity shall be made available on the website of the Bureau.

8. In the said regulations, in regulation 8, after sub-regulation (12), the following sub-regulation shall be inserted, namely:- “(13) Any recognised Assaying and Hallmarking centre may setup an offsite Assaying and Hallmarking centre in accordance with the guidelines issued by the Bureau.”

Officers and
employees of
Bureau.

8. Executive Committee of Bureau. Advisory Committees of Bureau. Vacancies, etc., not to invalidate act or proceedings. Director General.

(1) The Bureau may appoint such other officers and employees as it considers necessary for the efficient discharge of its functions under this Act.

(2) The terms and conditions of service of officers and employees of the Bureau appointed under sub-section (1) shall be such as may be specified by regulations.

9. Term of office of Director General. - The Director General shall hold office for a term of three years or until he attains the age of sixty years, whichever is earlier:

Provided that the term of the Director General may be extended by the Central Government for a period not exceeding two years or until he attains the age of sixty years, whichever is earlier:

Provided further that where the Central Government is satisfied that the reappointment of an outgoing Director General after he has attained the age of sixty years

is in the interest of the Bureau, it may for reasons to be recorded in writing, reappoint him for a further period not exceeding two years BIS Rules, 2018 incorporating all amendments

9. Change in scope of licence to use or apply a Standard Mark.- (1) An application for change in the scope of licence shall be made to the Bureau in the stipulated form along with fee as specified in the applicable Scheme in Schedule-II. (2) On receipt of an application under sub-regulation (1), the Bureau after making such enquiry as it deems proper, may extend the scope of the licence in the form specified in the applicable Scheme in Schedule-II. (3) If at any time, the Bureau has reasons to reduce the scope of a licence, it shall do so after serving a notice of one month to the licensee.

Renewal of Licence

9. (1) An application for renewal of licence to use Standard Mark shall be made before two months of its expiration to the Bureau in Form -XII annexed to this Scheme.

(2) The Bureau shall renew the licence in Form -XIII annexed to this Scheme.

(3) The renewal of licence shall be done in accordance with regulation 8 of these regulations.

(4) If actual marking fee is more than minimum marking fee, the difference of the fee shall be paid annually by the applicant.

(5) Where volume of production is high, the Bureau may direct such licensees to pay actual marking fee on quarterly basis.

The Bureau of Indian Standards (Conformity Assessment) Regulations, 2018

9. Terms and Conditions of office of Chairman and Members. - (1) The term of office of the Chairman and other members of an Advisory Committee shall be two years and they shall be eligible for re-appointment.

(2) The Chairman or any other member of an Advisory Committee may resign his office by forwarding his letter of resignation under his own hand to the President of the Governing Council, and

such resignation shall take effect from the date of its acceptance by the President or on the expiry of a period of one month from the date of its receipt by the President, whichever is earlier.

(3) When a vacancy occurs by resignation of a Chairman or any other member under sub-regulation

(2) or otherwise, the Governing Council shall take steps to fill that vacancy by appointing suitable person and the Chairman or the other member, as the case may be, so appointed shall hold office for the remainder of the term of office of the Chairman or the other member in whose place he is appointed.

.. BIS (Advisory Committees) Regulations, 2018 incorporating all amendments

9. Selection Committee. - (1) The Selection Committee shall be constituted by the Director General as under: (i) the Selection Committee for Group 'A' post shall consist of the following members, namely:- (a) an officer not below the rank of Scientist 'F' or Deputy Director General; (b) a nominee of the Ministry or Department of the Central Government having administrative control of the Bureau; (c) Director or Head or Officer in-charge of the department dealing with the personnel functions in the Bureau; (d) two officers not below the rank of Scientist 'E' or Director who shall be representative of the Scheduled Caste or the Scheduled Tribes or Other Backward Classes or Minority or Women, of whom at least one shall be from the Scheduled Caste or the Scheduled Tribe; and (e) one outside expert, associated with the activity relating to the Bureau, to be nominated by the Director General: Provided that the member nominated under clause (b) or the outside expert nominated under clause (e) shall be the Chairperson of the Selection Committee; (ii) the Selection Committee for Group 'B' and Group 'C' post shall consist of the following members, namely :- (a) an officer not below the rank of Scientist F or Deputy Director General, who shall be the Chairperson, to be nominated by the Director General; (b) Director or Head or Officer in-charge of the department dealing with the personnel functions in the Bureau; (c) two officers not below the rank of Scientist C or Deputy Director who shall be representative of the Scheduled Caste or the Scheduled Tribes or Other Backward Classes or Minority or Women, of whom at least one shall be from the Scheduled Caste or the Scheduled Tribe; and (d) the Deputy Director or Assistant Director dealing with the personnel functions in the Bureau. (2) The recommendations made by the Selection Committee referred to in sub-regulation (1) shall be submitted to the Director General for approval.

BIS (Recruitment to Laboratory Technical Posts) Regulations, 2019

9. Screening Committee. – (1) Applications received in response to the advertisement for posts to be filled by deputation shall be screened by a Screening Committee consisting of not less than three officers of the Bureau not below the rank of Scientist-D and the senior most amongst them shall be the Chairperson of the committee, to be nominated by the Director General: Provided that at least one officer in the Screening Committee shall be above the rank of the post for which the selection is being made. (2) The candidates as shortlisted by the Screening Committee shall be considered by the Selection Committee for selection.

BIS (Recruitment to Scientific Cadre) Regulations, 2019

Re-certification of licence and certificate of conformity. 9. (1) The certified organisation shall submit an application for re-certification in the prescribed Form - III annexed to this scheme to facilitate completion of re-certification within five months of its validity. (2) The re-certification shall be done in Form - II annexed to this Scheme, - (a) if the re-certification application is found to be complete; (b) on payment of fee as specified in sub-paragraph (2) of paragraph 5; and (c) if the Bureau is satisfied that the organisation has successfully demonstrated conformity of process to the standard(s)/part of standard(s)/specified requirements, as applicable. (3) The provisions under paragraph 3 of this scheme shall also be applicable for re-certification. (4) Upon re-certification, surveillance assessment shall be planned in accordance with the process specific guidelines and standard(s)/part of standard(s)/specified requirements, as applicable. (5) The re-certification shall be done in accordance with regulation 8 or regulation 16, as applicable, of these regulations.

BIS (Conformity Assessment) Amendment Regulations, 2020

9. Composition of Selection Committees. – (1) The Selection Committee for Group ‘A’ Posts with the pay in the level-13 in the pay matrix and above shall consist of the following members, namely:- (i) Director General, who shall be the Chairman of the Committee; (ii) Financial Advisor of the ministry having administrative control of the Bureau; (iii) A representative of the Ministry or Department of the Central Government having administrative control of the Bureau; (iv) Two members of the Executive Committee to be nominated by Director General; and (v) One or two senior officer of Bureau to be nominated by the Director General. (2) The Selection Committee ‘A’ for Group ‘A’ Posts with the pay in the level-10 to level-12 in the pay matrix posts shall consist of the following members, namely: - (i) Director General, who shall be the Chairman of the Committee; (ii) Deputy Director General (Administration); (iii) Scientist G or Scientist F of the Bureau nominated by the Director General; (iv) A nominee of the Ministry or Department of the Central Government having administrative control of the Bureau; and (v) One or two senior officers to be nominated by the Director General. (3) Selection Committee ‘B and C’ for posts in Groups ‘B’ and ‘C’ shall consist of the following members, namely: (i) Deputy Director General (Administration), who shall be the Chairman; (ii) One officer dealing with personnel functions to be nominated by Director General; (iii) Two other officers to be nominated by the Director General; and (iv) Assistant Director or Deputy Director dealing with Personnel functions in the Bureau. (4) The composition of Screening Committee for the purpose of considering and recommending the cases for grant of financial up-gradations under Modified Assured Career Progression Scheme and Non-Functional Grade under these regulations shall be the same as respective Selection Committee; (5) The recommendations of respective Selection Committees shall be submitted to the Director General for approval. Provided that the Selection Committee given at sub-regulation (2) and (3) shall consist of two members belonging to the Scheduled Caste

or the Scheduled Tribe or the Other Backward Classes or a Minority community or Women, of whom one shall be from the Scheduled Caste or the Scheduled Tribe.

9. Renewal of licence.- (1) An application for renewal of licence shall be made before two months of its expiration to the Bureau in Form - VII annexed to this Scheme. (2) The Bureau shall renew the licence in Form -VIII annexed to this Scheme. (3) The renewal of licence shall be done in accordance with regulation 8 of the said regulation. (4) The provisions under clause (d) of sub-paragraph (2) of paragraph 3 of this scheme may also be undertaken by the Bureau for renewal of licence.

9. In the said regulations, in regulation 10, after sub-regulation (10), the following sub-regulation shall be inserted, namely:- "(10A) The Bureau may relax the hallmarking fee specified under sub-regulation (10) as and when required."

Powers and functions of Bureau.

9. (1) The powers and duties as may be assigned to the Bureau under this Act shall be exercised and performed by the Governing Council and, in particular, such powers may include the power to—

- (a) establish branches, offices or agencies in India or outside;
- (b) recognise, on reciprocal basis or otherwise, with the prior approval of the Central Government, the mark of any international body or institution, on such terms and conditions as may be mutually agreed upon by the Bureau in relation to any goods, article, process, system or service at par with the Standard Mark for such goods, article, process, system or service;
- (c) seek recognition of the Bureau and of the Indian Standards outside India on such terms and conditions as may be mutually agreed upon by the Bureau with any corresponding institution or organisation in any country or with any international organisation;
- (d) enter into and search places, premises or vehicles, and inspect and seize goods or articles and documents to enforce the provisions of this Act;
- (e) provide services to manufacturers and consumers of goods or articles or processes for compliances of standards on such terms and conditions as may be mutually agreed upon;
- (f) provide training services in relation to quality management, standards, conformity assessment, laboratory testing and calibration, and any other related areas;
- (g) publish Indian Standards and sell such publications and publications of international bodies;
- (h) authorise agencies in India or outside India for carrying out any or all activities of the Bureau and such other purposes as may be necessary on such terms and conditions as it deems fit;
- (i) obtain membership in regional, international and foreign bodies having objects similar to that of the Bureau and participate in international standards setting process;
- (j) undertake testing of samples for purposes other than for conformity assessment; and

(k) undertake activities relating to legal metrology.

(2) The Bureau shall take all necessary steps for promotion, monitoring and management of the quality of goods, articles, processes, systems and services, as may be necessary, to protect the interests of consumers and various other stake holders which may include the following namely: –

(a) carrying out market surveillance or survey of any goods, article, process, system or service to monitor their quality and publish findings of such surveillance or surveys;

(b) promotion of quality in connection with any goods, article, process, system or service by creating awareness among the consumers and the industry and educate them about quality and standards in connection with any goods, article, process, system and service;

(c) promotion of safety in connection with any goods, article, process, system or service; Officers and employees of Bureau. Powers and functions of Bureau. SEC. 1]

(d) identification of any goods, articles, process, system or service for which there is a need to establish a new Indian Standard, or to revise an existing Indian Standard;

(e) promoting the use of Indian Standards;

(f) recognising or accrediting any institution in India or outside which is engaged in conformity certification and inspection of any goods, article, process, system or service or of testing laboratories;

(g) coordination and promotion of activities of any association of manufacturers or consumers or any other body in relation to improvement in the quality or in the implementation of any quality assurance activities in relation to any goods, article, process, system or service; and

(h) such other functions as may be necessary for promotion, monitoring and management of the quality of goods, articles, processes, systems and services and to protect the interests of consumers and other stake holders.

(3) The Bureau shall perform its functions under this section through the Governing Council in accordance with the direction and subject to such rules as may be made by the Central Government

CHAPTER III

INDIAN STANDARDS, CERTIFICATION AND LICENCE

10. Pay and allowances. - The post of Director General shall be equivalent to the post of an Additional Secretary in the Government of India and shall be entitled to all other allowances as provided under the Act or under these rules:

Provided that in case of foreign travel, officers of the Central Government appointed on tenure or transfer or deputation basis, shall be governed by Foreign Travelling Allowance or the Daily Allowance rules as are applicable to the Central Government servants of equivalent status and others shall be governed by the regulations of the Bureau.

BIS Rules, 2018 incorporating all amendments

10. Suspension of licence to use or apply a Standard Mark.- (1) The Bureau shall by an order in writing suspend the licence whenever it has sufficient evidence that goods, article, process, system or service for which licence has been granted may not be conforming to the standard.

(2) The Bureau shall suspend the licence if the licensee has not paid the requisite fee.

(3) Before the suspension of licence under sub-regulation (2), a notice of twenty one days shall be given to the licensee.

(4) On receipt of communication regarding suspension of licence, the licensee shall forthwith stop using Standard Mark under intimation to the Bureau.

(5) The Bureau may revoke suspension after satisfying itself that the licensee has taken necessary corrective actions or the fee has been paid.

(6) The suspension and revocation of licence, as the case may be, shall be made as specified in the applicable Scheme in Schedule-II.

(7) If the complaint regarding quality of any goods, article, process, system or service bearing Standard Mark is established, licence may be suspended and licensee shall be required to take corrective actions.

(8) The revocation of suspension under sub-regulation (6) shall be permitted only after satisfactory verification of corrective actions.

Change in scope of licence

10. (1) An application for change in scope of licence to use Standard Mark shall be made to the Bureau in Form –XIV annexed to this Scheme along with fee prescribed in sub-paragraph (5) of paragraph 5.

(2) For extension in scope of licence, application shall be made either along with a complete test report of the product issued by a third party laboratory or along with a request to Bureau to draw the sample for testing.

(3) If there is no change in scheme of inspection and testing or infrastructure including manufacturing machinery and test equipment and extension in scope of licence is in the same group of sampling guidelines, the test report(s) may not be required for extension in scope of licence.

(4) The Bureau shall change the scope of licence in Form –XV annexed to this Scheme

The Bureau of Indian Standards (Conformity Assessment) Regulations, 2018

10. Meeting of Advisory Committees. – (1) A meeting of each Advisory Committee shall be held at least once in a calendar year. (2) A notice of not less than seven days, from the date of issue, shall be ordinarily given to the members for each meeting of an Advisory Committee.

(3) Every notice of a meeting of an Advisory Committee shall specify the place and the day and hour of the meeting.

(4) The Chairman of an Advisory Committee shall cause to be prepared and circulated to the members an agenda for the meeting, which shall include such matter as may be referred to the Advisory

Committee by the Governing Council or Executive Committee or Director General or Central Government, at least three days before such meeting.

(5) The quorum for a meeting of an Advisory Committee shall be three.

(6) The minutes of proceedings of each meeting shall be circulated to each member of an Advisory Committee and shall be confirmed at the next meeting with or without modifications, as the case may require.

.. BIS (Advisory Committees) Regulations, 2018 incorporating all amendments

10. Appointing Authority. – (1) Appointments shall be made by the Appointing Authority to Group 'A' Posts on the recommendations of the Selection Committee for Group 'A' post and to Group 'B' and Group 'C' Posts on the recommendations of the Selection Committee for Groups 'B' and Group 'C' post:

Provided that the officiating appointments may be made by the Appointing Authority without recommendations of the appropriate Selection Committee subject to conditions specified for such appointments in the Schedule appended to the Bureau of Indian Standards (Powers and Duties

of Director General) Regulations, 2018: Provided further that the respective Selection Committees shall also function as Screening Committee for the purpose of considering and recommending the cases for grant of financial up-gradation under the Modified Assured Career Progression Scheme specified in sub-regulation (2) of regulation 8 and the Non-Functional Grade I and Grade II, as specified in sub-regulation (3) thereof.

BIS (Recruitment to Laboratory Technical Posts) Regulations, 2019

10. Selection Committee. – (1) Selection Committee for selection to the posts of Scientist-B, Scientist-C, Scientist-D and Scientist-E shall be constituted by the Director General comprising the following members, namely:-

(i) two officers of the Bureau not below the level of Scientist-F, senior among whom shall be the Chairperson; and (ii) three experts from outside not below the rank of Scientist-F; Provided that one such member shall belong to the Scheduled Castes or Scheduled Tribes category, in case of selection of person from these categories.

(2) The Selection Committee for selection to the posts of Scientist-F and Scientist-G shall comprise the following members, namely:-

(i) Secretary, Ministry or Department having -Chairperson administrative control of the Bureau;

(ii) Secretary, Department of Science and Technology; -Member

(iii) Director General, Bureau of Indian Standards; -Member

(iv) Director, National Physical Laboratory; -Member

(v) Director, Central Food Technological Research Institute; and -Member

(vi) Secretary, Department of Personnel and Training -Member or his representative not below the rank of Joint Secretary.

BIS (Recruitment to Scientific Cadre) Regulations, 2019

Change in scope of licence and certificate of conformity. 10. (1) The scope of licence or certificate of conformity may be extended or reduced upon a request made by the certified organisation in this regard along with fee as specified in sub-paragraph (2) of paragraph 5. (2) The provisions under paragraph 3 of this scheme shall also be applicable for change in scope of licence or certificate of conformity. Provided that if there is no major change in the process as per the process specific guidelines, the test report(s) and assessment may not be required for change in scope of certificate of conformity. (3) The Bureau shall change the scope of licence or certificate of conformity and certify it in Form – II

10. Categories of posts and their authorised strength. – The categories of posts and their authorized strength shall be such as may, from time to time, be determined by the Executive Committee with the approval of the Central Government.

10. Change in scope of licence.- (1) An application for change in scope of licence shall be made to the Bureau in Form – X annexed to this Scheme. (2) For extension in scope of licence, application shall be made along with the submission of technical file of the product variety to be added and the fee prescribed under paragraph 5 of this Scheme. (3) The Bureau shall carry out evaluation as mentioned in sub-paragraph (2) of paragraph 3 of this Scheme. (4) The Bureau shall change the scope of licence in Form –X annexed to this Scheme.

11. In the said regulations, in Form I, - (i) in item 7, in sub-item (b), the words “Validity:” shall be omitted. (ii) in item 8, the brackets and words “(attach proof)” shall be omitted. (iii) item 11 shall be omitted.

10. (1) The standards established by the Bureau shall be the Indian Standards.

Indian

Standards.

(2) The Bureau may –

(a) establish, publish, review and promote the Indian Standard, in relation to any goods, article, process, system or service in such manner as may be prescribed;

(b) adopt as Indian Standard, any standard, established by any other Institution in India or elsewhere, in relation to any goods, article, process, system or service in such manner as may be prescribed;

(c) recognise or accredit any institution in India or outside which is engaged in standardisation;

(d) undertake, support and promote such research as may be necessary for formulation of Indian Standards.

(3) The Bureau, for the purpose of this section, shall constitute, as and when considered necessary, such number of technical committees of experts for the formulation of standards in respect of goods, articles, processes, systems or services, as may be necessary.

(4) The Indian Standard shall be notified and remain valid till withdrawn by the Bureau.

(5) Notwithstanding anything contained in any other law, the copyright in an Indian Standard or any other publication of the Bureau shall vest in the Bureau.

11. Staff car. – (1) The Director General shall be entitled to free use of staff car for official purpose including the journeys from residence to office and vice-versa.

(2) The Director General shall be allowed to use staff car (car upto and including 16 H.P.) for non-duty journeys upto five hundred kilometres per month on payment of an amount as decided by Department of Expenditure in the Ministry of Finance from time to time.

BIS Rules, 2018 incorporating all amendments

11. Cancellation of licence to use or apply a Standard Mark.-

(1) The Bureau may by order in writing cancel the licence after giving a notice of not less than twenty one days, if –

(a) the licensee fails to comply with any of the conditions of the licence; (b) the licence has been issued in error.

(2) Any explanation submitted by the licensee on receipt of notice under sub-regulation (1) may be taken into consideration by the Bureau and a reasonable opportunity of being heard, either in person or through a representative authorised shall be given to the licensee.

(3) In the case of compounding of offence, the licence shall not be processed for cancellation.

(4) If no explanation is received, the Bureau may, on the expiry of the period of the notice, cancel the licence.

(5) The Bureau may cancel the licence without giving any further notice if the licence has been under suspension for more than one year or the licensee requests for cancellation of licence

Suspension

11. (1) The licensee on its own shall suspend the use of the Standard Mark under intimation to the Bureau if, at any time, there is difficulty in maintaining the conformity of the product to the Indian Standard or any test equipment goes out of order or due to natural calamities such as flood, fire, earthquake, lock out declared by the management, closure of operations directed by a competent court or statutory authority.

(2) The revocation of suspension may be done as soon as the deficiencies are removed and information shall be sent to the Bureau immediately but not later than seven days from the date of revocation.

(3) The licensee on its own shall suspend the use of the Standard Mark under intimation to the Bureau on relocation of manufacturing unit to a new premises.

(4) The revocation of suspension may be done by the Bureau after verification of the old premises and verification of production process at new premises.

(5) (a) The Bureau may suspend the licence and direct the licensee not to use Standard Mark on its product if, at any time, it has sufficient evidence that the product bearing the Standard Mark may not be conforming to the relevant Indian Standard and such evidence is not limited to, but may include one or more of the following, namely:-

(i) consecutive test reports indicating non-conformity of the product to the relevant Indian Standard;

(ii) non-availability of testing personnel even as Standard Mark is being used;

(iii) use of Standard Mark on the non-conforming products;

(iv) major deviation observed in the implementation of scheme of inspection and testing;

(v) major modification(s) in the manufacturing process without prior evaluation of the Bureau;

(vi) relocation of manufacturing unit to a new address without intimation;

(vii) closure of manufacturing unit for more than six months without intimation;

(viii) non-compliance of any instructions issued by the Bureau from time to time.

(b) The licensee, whose licence has been put under suspension, shall stop using or applying Standard Mark, dispatching of the product bearing the Standard Mark and shall send confirmation in this regard to the Bureau immediately followed by confirmation of having taken corrective actions.

(c) The Bureau may arrange a visit to the factory to verify the corrective actions and may allow revocation of suspension after satisfying itself that the licensee–

(i) has taken necessary corrective actions; and

(ii) has provided sufficient evidence of conformity of the product to the relevant Indian Standard.

(6) The Bureau may suspend the licence after issuing a notice of twenty one days and direct the licensee not to use Standard Mark on its product when requisite fee is not paid by the applicant.

(7) The Bureau may revoke the suspension issued under sub-paragraph (6) on receipt of dues.

The Bureau of Indian Standards (Conformity Assessment) Regulations, 2018

11. Travelling and Daily Allowances to the Members of the Advisory Committees. - (1)

The members of an Advisory Committees including the Chairman of each such Committee, representing the Central Government, State Governments, Union territories, Statutory and autonomous bodies (other than those specially approved by the Executive Committee), public sector undertakings, trade, industry and their associations, and the Members of Parliament, shall not be eligible to draw any travelling or daily allowance from the funds of the Bureau.

(2) Travelling and daily allowances to the members of the Advisory Committees, including Chairman other than those specified in sub-regulation (1), while travelling within the country with prior concurrence of the Director General, may be admissible from the Bureau for attending meetings and discharging any duty assigned by the Governing Council or the Committee concerned.

(3) The rates of travelling and daily allowances admissible to the Chairman and members under subregulation (2) shall be the same as applicable to a non-official member attending the meetings of Committees set up by the Central Government. .. **BIS (Advisory Committees) Regulations, 2018 incorporating all amendments**

11. Categories of posts and their authorised strength. - (1) The categories of posts and their authorised strength shall be such as may, from time to time, be determined by the Executive Committee, with the approval of the Central Government. (2) The categories of posts and their authorised strength as on the date of the notification of these regulations shall be as specified in the First Schedule and the Disciplines or trades of the posts shall be as given in the Second Schedule.

BIS (Recruitment to Laboratory Technical Posts) Regulations, 2019

11. Appointing Authority. – Appointments to all posts shall be made by the appointing authority on the recommendations of the Selection Committee: Provided that no appointment to the posts

of Scientist-F and Scientist-G shall be made without the prior approval of the Central Government.

BIS (Recruitment to Scientific Cadre) Regulations, 2019

Suspension.

11. (1) If, at any time, the Bureau has sufficient evidence that the process or its operations for which licence or certificate of conformity has been granted, are not conforming to the standard(s)/part of standard(s)/specified requirements, as applicable, the Bureau may suspend the licence or certificate of conformity and direct the organisation to stop its use and evidence is not limited to, but may include one or more of the following, namely:-

- (a) using licence or certificate of conformity in a manner not permitted by the Bureau;
- (b) discontinuance of operation for more than six months;
- (c) consecutive test reports indicating non-conformity of the process to the standard(s)/ part of standard(s)/ specified requirements, as applicable;
- (d) corrective actions are not taken within the time frame specified by the Bureau;
- (e) relocation of the premises without prior information and evaluation of the Bureau;
- (f) major deviation observed in the implementation of process specific guidelines;
- (g) major modification(s) in the operations of the process without prior evaluation of the Bureau;
- (h) outsourcing of operations or part of process, without prior intimation and evaluation of the Bureau;
- (i) false declaration in relation to the certification or indulged in falsification of records or unfair trade practices;
- (j) failure to cooperate with the Bureau or its authorised representative for any such evaluation as may be required during the operation of licence or certificate of conformity;
- (k) suspension under provisions of Scheme - III of these regulations for management system certification, if applicable.

(2) The decision taken by the Bureau under sub-paragraph (1) shall be communicated to the certified organisation through e-mail or any other suitable means of written communication along with reasons thereof.

(3) The certified organisation on its own shall suspend the use of licence or certificate of conformity under intimation to the Bureau if, at any time, there is difficulty in maintaining the conformity of the process to the standard(s)/part of standard(s)/specified requirements, as applicable, due to any reasons like further outsourcing of informed outsourced operations, natural or human-made calamity, lock out declared by the management, closure of operations directed by a competent court or statutory authority.

(4) The organisation has been placed under suspension, its holder shall take corrective actions and inform the same to the Bureau.

(5) On receipt of information on action taken, a special assessment, if required, may be carried out by the Bureau to verify such action.

(6) The Bureau may revoke the suspension after satisfying itself that the organisation has taken corrective actions with sufficient evidence to the Bureau to establish conformity of the relevant standard(s)/part of standard(s)/specified requirements, as applicable.

(7) If the suspension of the certification is due to non-payment of necessary fee, the Bureau may direct the organisation against its use by issuing a notice of twenty-one days and suspension may be revoked on receipt of the dues.

(8) The period of suspension under sub-paragraph (1) shall not exceed one year.

BIS (Conformity Assessment) Amendment Regulations, 2020

11. Power to relax. - Where the Bureau is of the opinion that it is necessary or expedient so to do, it may, for reasons to be recorded in writing, relax any of the provisions of these regulations in respect of any class or category of persons:

11. Suspension of licence.- (1) The manufacturer on its own shall suspend the use of the licence under intimation to the Bureau if, at any time, there is difficulty in maintaining the compliance or conformity of the product or due to natural calamities such as flood, fire, earthquake, lock out declared by the management, closure of operations directed by a competent court or statutory authority.

(2) The revocation of suspension may be done as soon as the deficiencies are removed and information shall be sent to the Bureau immediately but not later than seven days from the date of revocation.

(3) The manufacturer on its own shall suspend the use of the licence under intimation to the Bureau on relocation of any of its processing activities to new premises.

(4) The revocation of suspension may be done by the Bureau after obtaining such evidence, not limited to, namely:-

(a) confirming about readiness to commence operations at new premises;

(b) verification of the old premises; (c) verification of processing activities at new premises.

(5) (a) The Bureau may suspend the licence at any time, if it has sufficient evidence of non-compliance or nonconformity of the product to the relevant specified requirements and such evidence is not limited to, but may include one or more of the following, namely:-

(i) use of licence and standard mark on the non-conforming products;

(ii) major deviation observed in the implementation of technical file;

(iii) relocation of processing activities unit to a new address without intimation;

(iv) non-compliance of any instructions issued by the Bureau from time to time

(b) The manufacturer, whose licence has been put under suspension, shall stop using licence or applying Standard Mark, dispatching of the product bearing the Standard Mark and shall send confirmation in this regard to the Bureau immediately followed by confirmation of having taken corrective actions.

(c) The Bureau may arrange on-site assessment visit to verify the corrective actions and may allow revocation of suspension after satisfying itself that the manufacturer- (i) has taken necessary corrective actions; and

(ii) has provided sufficient evidence of conformity of the product to the specified requirements.

11. (1) No individual shall, without the authorisation of the Bureau, in any manner or form, publish, reproduce or record any Indian Standard or part thereof, or any other publication of the Bureau.

Prohibition to
publish,
reproduce or
record without
authorisation
by Bureau.

(2) No person shall issue a document that creates, or may create the impression that it is or contains an Indian Standard, as contemplated in this Act: Provided that nothing in this sub-section shall prevent any individual from making a copy of Indian Standard for his personal use.

12. Resignation. - The Director General may, at any time before the expiry of his term, tender his resignation to the Central Government by giving three months' notice therefor:

Provided that the Central Government reserves the right not to accept the resignation tendered by the Director General in the public interest:

Provided further that the Government may, in special circumstances, waive the stipulation of three months' notice by making payment of three months' salary and

allowances in lieu of the notice period. **BIS Rules, 2018 incorporating all amendments**

12. Application for grant of certificate of conformity.-

(1) If demonstration of conformity is desired without the use of Standard Mark, an application may be made for grant of certificate of conformity under section 13 to the Bureau in the form specified in the applicable conformity assessment scheme in Schedule II.

(2) The processes involved in grant of certificate of conformity and fee shall be as specified in the applicable conformity assessment scheme in Schedule-II.

(3) On receipt of application under sub-regulation (1), the Bureau may make enquires for verification of the particulars set out in the application and also such other enquiries as it may deem necessary.

(4) The Bureau may ask the applicant or its authorised representative to appear before it for personal representation before the grant of certificate of conformity.

(5) An application which is not complete in all respects or does not conform to the requirements of subregulations (1) and (2) shall be rejected by the Bureau: Provided that, before rejecting an application, the applicant shall be given an opportunity to remove, within thirty days of the date of receipt of relevant communication from the Bureau, such objections as may be indicated by the Bureau: Provided further that the Bureau may, on sufficient reason being shown, extend the time for removal of objections by such further time, not exceeding thirty days, as the Bureau may consider fit to enable the applicant to remove such objections: Provided also that the Bureau shall, give a reasonable opportunity to the applicant of being heard, either in person or through a representative authorised by him in this behalf, and may take into consideration any fact or explanation furnished by the applicant or his representative, as the case may be.

Cancellation of licence 12. The Bureau shall cancel the licence in accordance with regulation 11 of these regulations.

The Bureau of Indian Standards (Conformity Assessment) Regulations, 2018

@ "12.Composition and Functions of Research Advisory Committee. – (1) The Research Advisory Committee shall consist of the following members, namely:

- (i) Director General of the Bureau – Chairman;
- (ii) (ii) One representative not below the rank of Joint Secretary or equivalent from each of the following: (a) Department of Science & Technology (DST), New Delhi; (b) Central Electronics Engineering Research Institute, Pilani; (c) Indian Institute of Technology, Roorkee; (d) Indian Agricultural Research Institute, New Delhi; (e) Central Food Technological Research Institute, Mysore; (f) Automotive Research Association of India, Pune; (g) The Energy Resource Institute (TERI), New Delhi; (h) Tata Institute of Fundamental Research, Mumbai; (i) Indraprastha Institute of Information Technology, Delhi; (j) Council of Scientific and Industrial Research (CSIR), New Delhi; (k) Indian Institute of Management, Ahmedabad or Indian Institute of Management, Lucknow; (iii) Any other member as nominated by Chairman; (iv) Scientist F or Scientist G (Deputy Director General - Policy, Research & Training) of the Bureau - Member Secretary. (2) The Research Advisory Committee shall advise on (i) policy matters relating to research activities on standardization, conformity assessment and other related activities; (ii) collaboration with institutions/organizations within the country and abroad on matters relating to research; (iii) promoting and planning research including evaluation/impact assessment studies and surveys; and (iv) other matters relating to research.. BIS (Advisory Committees) Regulations, 2018 incorporating all amendments

12. Power to relax. - Where the Bureau is of the opinion that it is necessary or expedient so to do, it may, for reasons to be recorded in writing, relax any of the provisions of these regulations in respect of any class or category of persons: Provided that the approval of the Central Government shall be taken for such relaxation before it is implemented.

BIS (Recruitment to Laboratory Technical Posts) Regulations, 2019

12. Disqualification. - (1) No person shall be eligible for initial appointment to any post, unless - (a) he has attained the age of twenty-one years; and (b) he is citizen of India or belongs to such category of persons as may be eligible for appointment under the Central Government. (2) No person, - (a) who has entered into or contracted a marriage with a person having a spouse living, or (b) who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to any post

BIS (Recruitment to Scientific Cadre) Regulations, 2019

Cancellation or refusal of re-certification of licence or certificate of conformity. 12. (1) The Bureau may cancel or refuse re-certification, if - (a) the organisation has indulged in misuse of the licence or certificate of conformity; (b) has made false declaration in relation to the certification or indulged in falsification of records or unfair trade practices; (c) suspension of licence or certificate of conformity exceed more than one year; (d) the organisation has outsourced process operations or relocated the premises and has resumed the use of certification without approval of the Bureau; (e) the outsourced operation informed by organisation have been further outsourced or premises where outsourced operations are performed have been relocated and certification is used without approval of the Bureau; (f) the organisation has violated any conditions of the certification; (g) cancellation or refusal of re-certification under provisions of Scheme - III of these regulations for management system certification, if applicable. (2) Before cancellation or refusal of re-certification, the Bureau shall give the organisation a written notice of not less than twenty one days through e-mail or any other suitable means of communication, informing its intention of cancellation or refusal of re-certification, along with the grounds, with provisions for submitting his written explanation and for personal hearing, if sought. (3) If the licence or certificate of conformity is not under suspension, the notice shall contain instructions to organisation directing him to stop use of certification. (4) In case of non-receipt of a written explanation within a period of twenty-one days from the date of issue of the notice, the Bureau may cancel or refuse to re-certify the licence or certificate of conformity. (5) If an explanation is submitted, the Bureau may take into consideration the explanation so submitted and give a personal hearing, if sought, to the organisation or his authorised representative, as the case may be, before taking a decision in this regard. (6) The decision taken by the Bureau for cancellation or refusal of re-certification under subparagraphs (4) and (5) of this scheme shall be communicated to the organisation through e-mail or any other suitable means of written communication along with the grounds. (7) When standard(s)/part of standard(s)/specified requirements, as applicable is/are withdrawn and not superseded by any other requirements, any licence or certificate of conformity granted in respect thereof shall be deemed to have been cancelled from the date of withdrawal of such standard(s)/part of standard(s)/specified requirements and any licence or certificate of

conformity shall be surrendered to the Bureau by the organisation forthwith. (8) For licence or certificate of conformity cancelled under sub-paragraph (7), the Bureau shall refund the part of the certification fee, if paid in advance, proportionate to the unexpired period of the certification.

Annexure - I

(Refer sub-paragraph (1) and (2) of paragraph 5 of Scheme - VIII)

Fee Structure

1. Application fee,-

*(a) Large enterprise and Central OR State government organisation (above 100 employees)
₹ 15,000 /-.*

*(b) Micro, small and medium enterprise and Central OR State government organisation (upto 100 employees)
₹ 7,000 /-.*

2. On-site visit fee for assessment/audit,-

(a) For unit/site(s) located within India,-

(i) ₹ 12,000 /- per manday;

(ii) Travel limited to a distance of 250 km from the location of the unit/site(s) and stay of certification officer(s)/agent(s) on actual basis shall be borne by the applicant or certified organisation.

(b) For unit/site(s) located outside India,-

(i) ₹ 12,000 /- per manday;

(ii) The applicant/certified organisation shall bear all expenses, including cost to BIS of the man-days spent by BIS certification officer(s)/agent(s) in connection with the visit(s) (from the time of departure from the place of posting till return thereto), as decided by BIS in its absolute discretion.

3. Licence or Certificate of conformity OR Re-certification fee for three years.

(a) Large enterprise ₹ 60,000 /-

(b) Micro, small and medium enterprise ₹ 30,000 /-

4. Fee for including management system certification, the additional fee for each management system for three years shall be

(a) Large enterprise ₹ 48,000 /-

(b) Micro, small and medium enterprise ₹ 24,000 /-

5. For each additional licence OR certificate of conformity by the same group of organisation, 20% discount on certification fee shall be applicable.

Note: (i) The expression micro small and medium enterprises shall have the meaning assigned to it in

the Micro Small Medium Enterprises Development Act, 2006 (27 of 2006).

(iii) Taxes in addition, as per applicable rate, shall be charged.

BIS (Conformity Assessment) Amendment Regulations, 2020

12. Cancellation of licence or certificate of conformity or refusal of renewal of licence.–

- (1) The Bureau may cancel licence or certificate of conformity or refuse renewal of licence, if, – (a) the manufacturer has indulged in misuse of the licence or certificate of conformity;
 - (b) has made false declaration in relation to the certification or indulged in falsification of records or unfair trade practices;
 - (c) suspension of licence exceed more than one year;
 - (d) the manufacturer has violated any conditions of the licence or certificate of conformity;
 - (e) cancellation or refusal of re-certification under the provisions of Scheme - III of the said regulation for management system certification, if applicable.
- (2) Before cancellation or refusal of renewal of licence, the Bureau shall give the manufacturer a written notice of not less than twenty one days through e-mail or any other suitable means of communication, informing its intention of cancellation or refusal of re-certification, along with the grounds, with provisions for submitting his written explanation and for personal hearing, if sought.
- (3) If the licence is not under suspension, the notice shall contain instructions directing manufacturer to stop use of the standard mark.
- (4) In case of non-receipt of a written explanation within a period of twenty-one days from the date of issue of the notice, the Bureau may cancel or refuse to re-certify the licence or cancel certificate of conformity.
- (5) If an explanation is submitted, the Bureau may take into consideration the explanation so submitted and give a personal hearing, if sought, to the organisation or his authorised representative, as the case may be, before taking a decision in this regard.
- (6) The decision taken by the Bureau for cancellation or refusal of re-certification under subparagraphs (4) and (5) of this scheme shall be communicated to the organisation through e-mail or any other suitable means of written communication along with the grounds.
- (7) When specified requirements are withdrawn and not superseded by any other requirements, any licence granted in respect thereof shall be deemed to have been cancelled from the date of withdrawal of such specified requirements and licence shall be surrendered to the Bureau by the organisation forthwith.

**Conformity
Assessment
scheme.**

(12) 1 The Bureau may notify a specific or different conformity assessment scheme for any goods, article, process, system or service or for a group of goods, articles, processes, systems or services, as the case may be, with respect to any Indian Standard or any other standard in a manner as may be specified by regulations.

(2) The Bureau may establish a Standard Mark in relation to each of its conformity assessment schemes, which shall be of such design and contain such particulars as may be specified by regulations to represent a particular standard.

13. Other conditions of service. - With regard to the other conditions of service including joining time, earned leave, medical benefits, retirement benefits and leave travel concession, if a candidate is a Government servant, the entitlement shall be as applicable to the Central Government servant of equivalent status and if the candidate is an employee of a public sector undertaking or an autonomous body or working in private sector, he shall be governed by regulations framed under the Act in this regard for the employees of the Bureau. **BIS Rules, 2018 incorporating all amendments**

13. Grant of certificate of conformity. -

(1) The Bureau on being satisfied that the applicant is eligible for grant of certificate of conformity, shall grant the same in form specified in the applicable Scheme in Schedule-II. (2) The certificate of conformity may be granted whenever conformity to standard(s) or part of a standard or essential requirements is to be demonstrated in relation to: -

(a) goods, article, process, system or service on continuous basis or goods and articles in a batch or lot;

(b) goods, article, process, system or service on the basis of suppliers declaration of conformity;

(c) goods and articles on the basis of initial testing in a laboratory for type approval with or without the right to use for subsequent production;

(d) any other situation in which the Executive Committee of the Bureau decides that a certificate of conformity could be granted.

(3) The grant of certificate of conformity under sub-regulation (1) shall be subject to payment of fee specified in the applicable Scheme in Schedule-II.

The Bureau of Indian Standards (Conformity Assessment) Regulations, 2018

13. Savings. - Nothing in these regulations shall affect reservations, relaxation of age-limit and other concessions required to be provided for the Scheduled Castes, the Scheduled Tribes, ex-Servicemen, and other special categories of persons as specified by the Central Government from time to time

BIS (Recruitment to Laboratory Technical Posts) Regulations, 2019

13. Liability of Scientists to serve in India and outside. - (1) Scientists appointed shall be liable to serve anywhere in India and outside India. (2) Scientist appointed shall be liable to undergo such training and be detailed on courses of instruction in India or outside India as the Central Government may decide from time to time. (3) Scientists detailed for training shall refund in full the cost of training, if for any reason, during the training or within a period of three years after the completion of such training, he chooses to discontinue his service.

**Grant of
licence or
certificate of
conformity**

.13. (1) A person may apply for grant of licence or certificate of conformity, as the case may be, if the goods, article, process, system or service conforms to an Indian Standard.

(2) Where any goods, article, process, system or service conforms to a standard, the Director General may, by an order, grant –

(a) a certificate of conformity in a manner as may be specified by regulations; or

(b) a licence to use or apply a Standard Mark in a manner as may be specified by regulations, subject to such conditions and on payment of such fees, including late fee or fine, before or during the operation of the certificate of conformity or licence, and as determined by regulations.

(3) While granting a certificate of conformity or licence to use a Standard Mark, the Bureau may, by order, specify the marking and labelling requirements that shall necessarily be affixed as may be specified from time to time.

(4) The Bureau may establish, maintain or recognise testing laboratories for the purposes of conformity assessment and quality assurance and for such other purposes as may be required for carrying out its functions.

14. Power to relax. – Where the Central Government is of the opinion that it is necessary or expedient so to do, it may, for reasons to be recorded in writing, relax any of the provisions of these rules relating to appointment and terms and conditions of service of the Director General.

BIS Rules, 2018 incorporating all amendments

14. Conditions of certificate of conformity.-

(1) The holder of certificate of conformity shall be responsible for the conformity of the goods, article, process, system or service to specified requirements in relation to which certificate of conformity is issued.

(2) The holder of certificate of conformity shall not use the certificate of conformity in relation to goods, articles, process, system or service that are non-conforming or outside the scope of the certificate of conformity.

(3) The certificate of conformity shall not be used in relation to any goods, article, process, system or service during deferment or suspension, as the case may be, and after expiry or cancellation of the certificate of conformity, as the case may be.

(4) The holder of certificate of conformity shall comply with the provisions of the conformity assessment scheme under which certificate of conformity is granted, including labelling and marking requirements.

(5) The holder of certificate of conformity shall maintain records as specified by the Bureau from time to time.

(6) The holder of certificate of conformity shall provide the Bureau all assistance in connection with carrying out inspection or audit or evaluation, as applicable, at its premises. (7) The holder of certificate of conformity shall provide information relating to production

covered under certificate of conformity as and when it is required by the Bureau.

(8) If the certificate of conformity is granted in relation to goods or articles, the holder of certificate of conformity shall provide the list of consignees, distributors, dealers or retailers, as the case may be, to whom goods or articles under certificate of conformity is supplied.

(9) The certificate of conformity shall not be transferred to any person without the prior approval of the Bureau.

(10) If a complaint regarding quality of any goods, article, process, system or service covered under certificate of conformity is established, the holder of certificate of conformity shall take suitable corrective actions so as to eliminate recurrence of complaints in future.

(11) The Bureau shall have the right to amend any of the conditions of certificate of conformity by giving a notice of thirty days to the holder of certificate of conformity.

The Bureau of Indian Standards (Conformity Assessment) Regulations, 2018

13. Composition and Functions of Training Advisory Committee. – (1) The Training Advisory Committee shall consist of the following members, namely:

(i) Director General of the Bureau – Chairman;

(ii) One representative not below the rank of Joint Secretary or equivalent from each of the following:

(a) Lal Bahadur Shastri National Academy of Administration (LBSNAA), Mussoorie;

(b) The Institute of Secretariat Training & Management (ISTM), New Delhi;

(c) National Skill Development Corporation (NSDC), New Delhi;

(d) National Power Training Institute (NPTI), Ministry of Power, New Delhi;

(e) National Academy of Customs, Indirect Taxes & Narcotics, Faridabad;

(f) Indian Institute of Management (IIM), Lucknow (Noida Centre)

(g) Management Development Institute (MDI), Gurgaon

(h) Indira Gandhi National Open University (IGNOU), New Delhi;

(i) Administrative Staff College of India (ASCI), Hyderabad;

(iii) Any other member as nominated by Chairman;

(iv) Scientist F or Scientist G (Deputy Director General - Policy, Research & Training) of the Bureau - Member Secretary

(2) The Training Advisory Committee shall advise on

(i) policy matters relating to training of BIS employees and other stakeholders;

(ii) collaboration with organizations/institutions within the country and abroad on matters relating to training; and

(iii) other matters relating to capacity building.” .. BIS (Advisory Committees) Regulations, 2018 incorporating all amendments

14. Interpretation. – If any question arises relating to the interpretation of these regulations, it shall be decided by the Bureau with the approval of the Central Government.

.... BIS (Recruitment to Laboratory Technical Posts) Regulations, 2019

14. Promotions of Scientists-B and above. – (1) The promotions to the posts of Scientist-C upto level of Scientist-G shall be made from amongst the officers serving in the immediate lower grade in the manner as laid down in the Modified Flexible Complementing Scheme for Scientific organisations as amended from time to time by the Central Government. (2) An Internal Screening Committee for –

(a) promotion upto the level of Scientist-E, shall be constituted by the Director General, comprising of three officers of the Bureau not below the rank of Scientist-F and the senior most amongst them shall be the Chairperson of the committee.

(b) promotion of Scientist-E to Scientist-F and Scientist-F to Scientist-G shall comprise of the following members, namely:-

(i) Additional Secretary or Joint Secretary, Ministry or Department - Chairperson having administrative control of the Bureau;

(ii) one external member not below the level of Scientist-F or Scientist-G, - Member to be nominated by the Director General; and

(iii) one officer from the Bureau not below the level of Scientist-F - Member or Scientist-G, to be nominated by the Director General.

(3) An Assessment committee for –

(a) promotion upto the level of Scientist-E, shall be constituted by the Executive Committee, comprising the following members, namely: -

(i) two officers of the Bureau not below the level of Scientist-F, senior among whom shall be the Chairperson; and (ii) three experts from outside not below the rank of Scientist-F; Provided that one member shall belong to the Scheduled Castes or Scheduled Tribes category, in case of selection of person from these categories.

(b) promotion to the posts of Scientist-F, shall comprise of the following members, namely: -

(i) Secretary of the Ministry or Department having -Chairperson administrative control of the Bureau;

(ii) two Secretaries of other Ministries or Departments having administrative -Members control over institutions or organizations involved in research or scientific activities or their representatives who are at least one level above the post to which in-situ promotion under Modified Flexible Complementing Scheme is to be made;

(iv) Director General, Bureau of Indian Standards; -Member (

Director, National Physical Laboratory; -Member (

v) Director, Central Food Technological Research Institute; and -Member

(vi) Secretary or Additional Secretary or Joint Secretary, -Member Department of Personnel and Training.

(c) promotion to the posts of Scientist-G, shall comprise of the following members, namely: - (

i) Secretary of the Ministry or Department having -Chairperson administrative control of the Bureau;

(ii) two Secretaries of other Ministries or Departments having administrative -Members control over institutions or organizations involved in research or scientific activities or their representatives who are at least one level above the post to which in-situ promotion under Modified Flexible Complementing Scheme is to be made;

(iii) Director General, Bureau of Indian Standards; -Member

- (iv) Director, National Physical Laboratory; -Member
 - (v) Director, Central Food Technological Research Institute; and -Member
 - (vi) Secretary or Special Secretary or Additional Secretary, -Member Department of Personnel and Training.
- (4) The recommendations of the Assessment Committee in respect of officers of Scientific Cadre of the Bureau for promotion of Scientist-B to Scientist-C, Scientist-C to Scientist-D and Scientist-D to Scientist-E shall be referred to the Appointing Authority for approval.
- (5) The recommendations of the Assessment Committee in respect of officers of Scientific Cadre of the Bureau for promotion of Scientist-E to Scientist-F and Scientist-F to Scientist-G shall be referred to the Central Government for approval.
- (6) Promotions of the officers as recommended shall be effective from the date of such approval.

BIS (Recruitment to Scientific Cadre) Regulations, 2019

**Certification
of Standard
Mark of
jewellers and
sellers of
certain
specified
goods or
articles.**

14. (1) The Central Government, after consulting the Bureau, may notify precious metal articles or other goods or articles as it may consider necessary, to be marked with a Hallmark or Standard Mark, as the case may be, in a manner as specified in sub-section (2).

(2) The goods or articles notified in sub-section (1) may be sold through retail outlets certified by the Bureau after such goods or articles have been assessed for conformity to the relevant standard by testing and marking centre, recognised by the Bureau and marked with Hallmark or Standard Mark, as the case may be, as specified by regulations.

(3) The Central Government may, after consulting the Bureau, by an order published in the Official Gazette, make it compulsory for the sellers of goods or article notified under sub-section (1) to be sold only through certified sales outlets fulfilling such conditions as may be determined by regulations.

(4) The Bureau may, by an order, grant, renew, suspend or cancel certification of Standard Mark or Hallmark of a jeweller or any other seller for sale of goods or articles notified under sub-section (1) in such manner as may be determined by regulations.

(5) The Bureau may establish, maintain and recognise testing and marking centres, including assaying and hallmarking centres, for conformity assessment and application of Standard Mark, including Hallmark, on goods or articles notified under sub-section (1), in a manner as may be specified by regulations.

(6) No testing and marking centre or assaying and hallmarking centre, other than the recognised by the Bureau, shall with respect to goods or articles notified under sub-section (1), use, affix, emboss, engrave, print or apply in any manner the Standard Mark, including the Hallmark, or colourable imitation thereof, on any goods or article; and make any claim in relation to the use and application of a Standard Mark, including the Hallmark, through advertisements, sales promotion leaflets, price lists or the like. Conformity Assessment scheme. Grant of licence or certificate of conformity. Certification of Standard Mark of jewellers and sellers of certain specified goods or articles.

(7) Every recognised testing and marking centre, including assaying and hallmarking centre, shall use or apply Standard Mark on good or articles notified under sub-section (1), including Hallmark on precious metal articles, after accurately determining the conformity of the same in a manner as may be specified.

(8) No recognised testing and marking centre, including assaying and hallmarking centre, shall, notwithstanding that it has been recognised under sub-section (5), use or apply in relation to any goods or article notified under sub-section (1) a Standard Mark, including Hallmark, or any colourable imitation thereof, unless such goods or article conforms to the relevant standard.

15. Establishment of Indian Standards. – (1) The Bureau shall establish Indian Standards in relation to any goods, article, process, system or service and shall reaffirm, amend, revise or withdraw Indian Standards so established as may be necessary, by a process of consultation with stakeholders who may include representatives of various interests such as consumers, regulatory and other Government bodies, industry, testing laboratories or calibration laboratories, scientists, technologists, and members of the Committees of the Bureau:

Provided that where a standard is being established on the request of the Central Government or the regulator, which is emerging from or has an impact on national policy, the Central Government or the concerned regulator shall be consulted to ensure that the standard is consistent with such policy:

Provided further that any Indian Standard established by the erstwhile Indian Standards Institution and the Bureau of Indian Standards established under Bureau of Indian Standards Act, 1986 (63 of 1986) before the date of commencement of the Act or the rules or regulations made thereunder, shall be deemed to have been established under the provisions of the Act or under these rules or regulations made under Section 39 of the Act.

(2) All Indian Standards, their revisions, amendments and withdrawal shall be

established by notification in the Official Gazette. ... **BIS Rules, 2018 incorporating all amendments**

15. Duration of certificate of conformity.- (1) The certificate of conformity shall be valid for a period as specified in the applicable Scheme in Schedule-II. (2) If the certificate of conformity is granted in relation to goods or articles of a batch or lot, it shall be a one-time certificate and duration of certificate of conformity is not applicable in these cases

The Bureau of Indian Standards (Conformity Assessment) Regulations, 2018

15. Promotion to the post of Scientist-B. - (1) The promotions shall be made to the posts of Scientist-B through Limited Departmental Competitive Examination.

(2) Officers eligible for promotions to the post of Scientist-B, as specified in First Schedule, shall be assessed for promotion on the basis of the following two components and the relative weightage for each component shall be as follows:-

(a) written examination - 50 per cent

(b) Annual Performance Appraisal Reports - 50 per cent

(3) The written examination shall consist of two parts covering the following:-

(i) general concepts relating to Standardization and Quality Control; and

(ii) technical knowledge pertaining to the respective discipline of the candidates, as

provided in Second Schedule;

(4) The qualifying marks in the written examination shall be fifty five per cent [forty five per cent for Scheduled Castes and Scheduled Tribes].

(5) Marks for Annual Performance Appraisal Reports for the previous five years shall be allotted, out of a maximum of 10 marks for each year, according to the grading in Annual Performance Appraisal

Reports on the following basis:

Outstanding 9

Very Good 7

Good 5

Average 3

(6) A select list will be prepared in order of merit of the candidates on the basis of the total marks obtained in written examination and Annual Performance Appraisal Reports of the previous five years according to their respective weightage.

(7) The select list in respect of officers for promotion to Scientist-B shall be referred to the Director General for approval.

(8) Promotions of the officers shall be effective from the date of such approval.

BIS (Recruitment to Scientific Cadre) Regulations, 2019

**Prohibition to
import, sell,
exhibit, etc.**

15. (1) No person shall import, distribute, sell, store or exhibit for sale, any goods or article under sub-section (1) of section 14, except under certification from the Bureau.

(2) No person, other than that certified by the Bureau, shall sell or display or offer to sell goods or articles that are notified under sub-section (3) of section 14 and marked with the Standard Mark, including Hallmark and claim in relation to the Standard Mark, including Hallmark, through advertisements, sales promotion leaflets, price lists or the like.

(3) No certified jeweller or seller shall sell or display or offer to sell any notified goods or articles, notwithstanding that he has been granted certification, with the Standard Mark, including Hallmark, or any colourable imitation thereof, unless such goods or article is marked with a Standard Mark or Hallmark, in a manner as may be specified by regulations, and unless such goods or article conforms to the relevant standard.

16. Division Councils. - The Bureau shall, for the purposes of formulation of Indian Standards in respect of any goods, article, process, system or service, constitute technical committees of experts to be known as the Division Councils.

BIS Rules, 2018 incorporating all amendments

16. Renewal of certificate of conformity.- (1) An application for renewal of certificate of conformity shall be made to the Bureau in the stipulated form along with the fee, as specified in the applicable conformity assessment scheme in Schedule-II. (2) The application under sub-regulation (1) shall be made to the Bureau before the expiry of the validity of certificate of conformity as specified in the applicable Scheme in Schedule-II. (3) On receipt of application under sub-regulation (1), the Bureau may renew or recertify the certificate of conformity in accordance with the applicable conformity assessment scheme in Schedule-II. (4) If renewal application with requisite fee is not received before expiration of the validity, the renewal of certificate of conformity may be deferred for a period of up to ninety days from the date of its validity: Provided that if renewal application with requisite fee is not received within the period of deferment, the certificate of conformity shall stand expired after the date of its validity. (5) If the renewal application is made after the validity of certificate of conformity, the application shall be accompanied by late fee of rupees five thousand. (6) If the renewal application is received and the certificate of conformity is under suspension, certificate of conformity shall not be renewed till the suspension is revoked. (7) If suspension is not revoked till the end of its validity, renewal may be deferred for a period of up to one hundred and eighty days from the date of its validity. (8) If discrepancies which led to the suspension of the certificate of conformity are removed

during the period of deferment, the certificate of conformity may be renewed from the date of its validity. (9) If discrepancies which led to the suspension of the certificate of conformity are not removed during the period of deferment, the certificate of conformity shall stand expired after the date of its validity. (10) If the certificate of conformity is granted in relation to goods or articles of a batch or lot, it shall be a one-time certificate and renewal of certificate of conformity is not applicable in these cases.

The Bureau of Indian Standards (Conformity Assessment) Regulations, 2018

16. Standing committee. - (1) A Standing Committee to determine the equivalence of disciplines shall be constituted by the Executive Committee comprising of three officers of the Bureau not below the rank of Scientist-F and the senior most amongst them shall be the Chairperson of the committee. (2) In order to accommodate the dynamic needs of expertise that may be required, the Standing Committee shall also determine the additional disciplines as required from time to time for recruitment purpose.

BIS (Recruitment to Scientific Cadre) Regulations, 2019

16. (1) If the Central Government is of the opinion that it is necessary or expedient so to do in the public interest or for the protection of human, animal or plant health, safety of the environment, or prevention of unfair trade practices, or national security, it may, after consulting the Bureau, by an order published in the Official Gazette, notify – Central

Government
to direct
compulsory
use of
Standard
Mark.

(a) goods or article of any scheduled industry, process, system or service; or

(b) essential requirements to which such goods, article, process, system or service, which shall conform to a standard and direct the use of the Standard Mark under a licence or certificate of conformity as compulsory on such goods, article, process, system or service.

Explanation. – For the purpose of this sub-section, –

- (i) the expression “scheduled industry” shall have the meaning assigned to it in the Industries (Development and Regulation) Act, 1951; **65 of 1951.**
- (ii) (ii) it is hereby clarified that essential requirements are requirements, expressed in terms of the parameters to be achieved or requirements of standard in technical terms that effectively ensure that any goods, article, process, system or service meet the objective of health, safety and environment.

(2) The Central Government may, by an order authorise Bureau or any other agency having necessary accreditation or recognition and valid approval to certify and

enforce conformity to the relevant standard or prescribed essential requirements under sub-section (1).

17. Sectional committees. - (1) The Division Council may constitute such number of Sectional Committees, for the work of formulation of Indian Standards, as it may consider necessary for the purpose.

(2) Every Sectional committee shall comprise of concerned officers of the Bureau and representatives of various interests such as consumers, regulatory and other Government bodies, industry, testing organisations laboratories or calibration laboratories, scientists, technologists, experts in personal capacity and consumer interests and an officer of the Bureau shall be its Member-Secretary.

BIS Rules, 2018 incorporating all amendments

17. Change in scope of certificate of conformity.- (1) An application for change in the scope of certificate of conformity shall be made to the Bureau in the stipulated form along with fee as specified in the applicable Scheme in Schedule-II. (2) On receipt of an application under sub-regulation (1), the Bureau after making such enquiry as it deems proper, may extend the scope of the certificate of conformity in form specified in the applicable Scheme in Schedule-II. (3) If at any time, the Bureau has reasons to reduce the scope of a certificate of conformity, it shall do so after serving a notice of one month to the holder of certificate of conformity.

The Bureau of Indian Standards (Conformity Assessment) Regulations, 2018

17. Authorized strength of cadre. -

(1) The authorized strength of cadre shall be such as may be determined from time to time by the Executive Committee with the approval of the Central Government and the cadre strength shall specify the number of posts to be covered under Scientific Cadre as a whole and is 579 as on date: Provided that there shall be interchangeability between the posts of Scientist-B, Scientist-C, Scientist-D, Scientist-E, Scientist-F and Scientist-G on account of in-situ promotion under the Modified Flexible Complementing Scheme subject to the condition that total numbers of these posts taken together shall not exceed the authorized strength of cadre.

(2) In-situ promotion under the Modified Flexible Complementing Scheme shall be personal to the officer concerned and shall not result in specific vacancy in lower grade on that account.

(3) The post currently held by concerned officer shall be upgraded and shall be personal to him for duration of his holding the in-situ promotion post.

(4) The vacancy that may be created owing to superannuation, resignation, removal or death of the officer shall result in the post reverting to the original position of Scientist-B.

BIS (Recruitment to Scientific Cadre) Regulations, 2019

17. (1) No person shall manufacture, import, distribute, sell, hire, lease, store or exhibit for sale any such goods, article, process, system or service under sub-section (1) of section 16 –

Prohibition to

manufacture,

sell, etc.,

certain goods

without

Standard

Mark.

(a) without a Standard Mark, except under a valid licence; or (b) notwithstanding that he has been granted a license, apply a Standard Mark, unless such goods, article, process, system or service conforms to the relevant standard or prescribed essential requirements.

(2) No person shall make a public claim, through advertisements, sales promotion leaflets, price lists or the like, that his goods, article, process, system or service conforms to an Indian standard or make such a declaration on the goods or article, without having a valid certificate of conformity or licence from the Bureau or any other authority approved by the Central Government under sub-section (2) of section 16. Prohibition to import, sell, exhibit, etc. Central Government to direct compulsory use of Standard Mark. Prohibition to manufacture, sell, etc., certain goods without Standard Mark. 65 of 1951

(3) No person shall use or apply or purport to use or apply in any manner, in the manufacture, distribution, sale, hire, lease or exhibit or offer for sale of any goods, article, process, system or service, or in the title of any patent or in any trade mark or design, a Standard Mark or any colourable imitation thereof, except under a valid licence from the Bureau.

18. Sub-Committees, panels and working groups.- A sectional committee may

constitute such number of sub-committees, panels or working groups within its area of work as it may consider necessary, and it shall define their scope, composition and coordinate their activities.

BIS Rules, 2018 incorporating all amendments

18. Suspension of certificate of conformity.- (1) The Bureau shall by order in writing suspend the certificate of conformity whenever it has sufficient evidence that goods, article, process, system or service for which certificate of conformity has been granted may not be conforming to the specified requirements. (2) The Bureau shall suspend the certificate of conformity, if the holder of certificate of conformity has not paid the requisite fee. (3) Before suspending the licence under sub-regulation (2), a notice of twenty one days shall be given to the holder of certificate of conformity. (4) On receipt of communication regarding suspension of certificate of conformity, the holder of certificate of conformity shall forthwith stop using certificate of conformity under intimation to the Bureau. (5) The Bureau may revoke the suspension after satisfying itself that the holder of certificate of conformity has taken necessary corrective actions

or the fee has been paid. (6) The suspension and revocation of certificate of conformity, as the case may be, shall be done in accordance with the applicable Scheme in Schedule-II. (7) If complaint regarding quality of any goods, article, process, system or service covered under certificate of conformity is established, certificate of conformity may be suspended and its holder shall be required to take corrective actions. (8) The revocation of suspension under sub-regulation (6) may be permitted only after satisfactory verification of corrective actions. (9) If the certificate of conformity is granted in relation to goods or articles of a batch or lot, it shall be a one-time certificate and suspension or revocation of certificate of conformity is not applicable in such cases.

The Bureau of Indian Standards (Conformity Assessment) Regulations, 2018

18. Power to relax. - Where the Executive Committee is of the opinion that it is necessary or expedient so to do, it may, with the approval of the Central Government, for reasons to be recorded in writing, relax any of the provisions of these regulations in respect of any class or category of persons.

BIS (Recruitment to Scientific Cadre) Regulations, 2019

Obligations of licence holder, seller, etc

18. (1) The licence holder shall, at all times, remain responsible for conformance of the goods, articles, processes, systems or services carrying the Standard Mark.

(2) It shall be the responsibility of the distributor or the seller, as the case may be, to ensure that goods, articles, processes, systems or services carrying the Standard Mark are purchased from certified body or licence holder.

(3) It shall be the responsibility of the seller before the goods or article is sold or offered to be sold or exhibited or offered for sale to ensure that – (a) goods, articles, processes, systems or services carrying the Standard Mark bear the requisite labels and marking details, as specified by the Bureau from time to time; (b) the marking and labelling requirements on the product or covering is displayed in a manner that has been specified by the Bureau.

(4) Every certified body or licence holder shall supply to the Bureau with such information and with such samples of any material or substance used in relation to any goods, article, process, system or service, as the case may be, as the Bureau may require for monitoring its quality and for the recovery of the fee as may be prescribed in the certificate of conformity or the licence.

(5) (a) The Bureau may make such inspection and take such samples of any material or substance as may be necessary to see whether any goods, article, process, system or service, in relation to which a Standard Mark has been used, conforms to the

requirements of the relevant standard or whether the Standard Mark has been properly used in relation to any goods, article, process, system or service with or without a licence.

(b) The Bureau may publicise the results of its findings and the directions given in pursuance thereof.

(6) If the Bureau is satisfied under the provisions of sub-sections (4) and (5) that the goods, articles, processes, systems or services in relation to which a Standard Mark has been used do not conform to the requirements of the relevant standard, the Bureau may direct the certified body or licence holder or his representative to stop the supply and sale of nonconforming goods or articles and recall the non-conforming goods or articles that have already been supplied or offered for sale and bear such mark from the market or any such place from where they are likely to be offered for sale or prohibit to provide the service.

(7) Where a certified body or licence holder or his representative has sold goods, articles, processes, system or services, which bear a Standard Mark or any colourable imitation thereof, which do not conform to the relevant standard, the Bureau shall direct the certified body or licence holder or his representative to—

(a) repair or replace or reprocess the standard marked goods, article, process, system or service in a manner as may be specified; or

(b) pay compensation to the consumer as may be prescribed by the Bureau; or

(c) be liable for the injury caused by non-conforming goods or article, which bears a Standard Mark, as per the provisions of section 31.

CHAPTER IV

FINANCE, ACCOUNTS AND AUDIT

19. Term of the technical committees. - The Division Councils, sectional committees

and sub - committees shall be reconstituted once every three years:

Provided that the tenure of panels and working groups shall be as decided by the concerned Division Council under which they were constituted.

(2) Division Councils shall be constituted in defined areas of industries, technologies, services and other subjects and shall comprise of concerned officers of the Bureau and representatives of various interests such as consumers, regulatory and other Government bodies, industry, testing laboratories or calibration laboratories, scientists and technologists and an officer of the Bureau shall be the Member Secretary.

(3) The Division Council shall. -

(i) advise on the subject areas to be taken up for formulation of Indian Standards in their respective areas keeping in view the national needs and priorities;

(ii) approve proposals for work and determine the priority to be assigned to the work;

(iii) direct the sectional committees concerned to undertake the work of formulation of standards;

(iv) advise on matters relating to research and development needed for the establishment of Indian Standards or their revisions ;

(v) study the work of international organisations and their committees in standards formulation related to the area of work of the Division Council and recommend on the extent and manner of participation in standardisation activities at the international level;

(vi) advise on implementation of established standards and promotion of Indian Standards;

(vii) receive and deal with activity reports and to make recommendations thereon to the Governing Council concerning matters in which the decision of the Governing Council is necessary;

(viii) carry out such tasks as may be specifically referred to it by the Governing Council or the Standards Advisory Committee constituted under clause (c) of sub-section (1) of section 5 of the Act. BIS Rules, 2018 incorporating all amendments

19. Cancellation of certificate of conformity.- (1) The Bureau may by order in writing cancel the certificate of conformity after giving a notice of not less than twenty one days, if, - (a) the holder of certificate of conformity fails to comply with any of the conditions of the certificate of conformity; (b) the certificate of conformity has been issued in error. (2) Any explanation submitted by the holder of certificate of conformity on receipt of notice under subregulation (1) may be taken into consideration by the Bureau and a reasonable opportunity of being heard, either in person or through a representative authorised shall be given to the holder of certificate of conformity. (3) In the case of compounding of offence, the certificate of conformity shall not be processed for cancellation. (4) If no explanation is received, the Bureau may, on the expiry of the period of the notice, cancel the certificate of conformity. (5) The Bureau may cancel the certificate of conformity without giving any further notice if the certificate of conformity has been under suspension for more than one year or the holder of certificate of conformity requests for cancellation of certificate of conformity

Schedule - II Scheme - I Conformity assessment scheme for Grant of licence to use or apply Standard Mark on goods and articles as per Indian Standard (based on scheme Type E as per Schedule-I) Scope 1. (1) Under this Scheme which is based on Type E, licence to use or apply a Standard Mark may be granted by the Bureau for goods or articles, herein after referred to as products, manufactured in a manufacturing premises and conforming to all the requirements of the relevant Indian Standard(s). Explanation.- For the purposes of sub-paragraph (1), manufacturing premise(s) means the premises, either owned by the applicant or otherwise, where a part of the manufacturing activity takes place and includes the premises where the final manufacturing activity is carried out and where Standard Mark is to be used or applied. (2) The grant of licence and its operation shall be done in accordance with the processes specified in paragraph 3

The Bureau of Indian Standards (Conformity Assessment) Regulations, 2018

19. Saving. - Nothing in these regulations shall affect reservation, relaxation of age limit and other concessions provided for the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, Person with Disability, ex-Servicemen and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard.

BIS (Recruitment to Scientific Cadre) Regulations, 2019

Financial Management of Bureau of Indian Standards.

19. The Central Government may, after due appropriation made by Parliament by law in this behalf, make to the Bureau grants and loans of such sums of money as the Government may consider necessary.

20. Travelling and daily allowances to members of technical committee. - (1) The members of the technical committees constituted under these rules representing the Central Government, State Governments, Union territories, statutory bodies, autonomous bodies and public sector undertakings (other than those specially approved by the Executive Committee), trade, industry and their associations, shall not be eligible to draw any travelling or daily allowance from the funds of the Bureau. (2) Travelling and daily allowances to Chairperson and members of the technical committees constituted under these rules other than those specified in sub-rule (1), while travelling within the country with prior concurrence of the Director General,

may be admissible from the Bureau for attending meetings of the technical committee or discharging any duty of the technical committee.

(3) The rates of travelling and daily allowances admissible to the members under sub-rule (2) shall be same as applicable to non-officials attending the meetings of the committees set up by the Central Government.

BIS Rules, 2018 incorporating all amendments

20. (1) There shall be constituted a fund to be called the Bureau of Indian Standards fund and there shall be credited thereto – (a) any grants and loans made to the Bureau by the Central Government; **Fund of Bureau.**

(b) all fees and charges received by the Bureau under this Act; (c) all fines received by the Bureau; (d) all sums received by the Bureau from such other sources as may be decided upon by the Central Government.

(2) The fund shall be applied for meeting –

(a) the salary, allowances and other remuneration of the members, Director General, officers and other employees of the Bureau;

(b) expenses of the Bureau in the discharge of its functions under the Act; and

(c) expenses on objects and for purposes authorised by this Act: Provided that the fines received in clause (c) of sub-section (1) shall be used for consumer awareness, consumer protection and promotion of quality of goods, articles, processes, system or services in the country.

21. Terms and conditions for engaging consultants. - (1) The Bureau may from time to time, engage such number of consultants as it may consider necessary, to assist the Committees constituted under this rule.

(2) The terms and conditions for engaging consultants in the work of technical committees and in the work relating to establishment of Indian Standards shall be such as may be decided by the Executive Committee.

BIS Rules, 2018 incorporating all amendments

21. (1) The Bureau may, with the consent of the Central Government or in accordance with the terms of any general or special authority given to it by the Central Government, borrow money from any source as it may deem fit for discharging all or any of its functions under this Act.

**Borrowing
powers of
Bureau.**

(2) The Central Government may guarantee in such manner as it thinks fit, the repayment of the principal and the payment of interest thereon with respect to the loans borrowed by Bureau under sub-section (1).

22. Procedure for establishment of Indian Standards. – (1) Any person, being a Ministry of the Central Government, State Government, Union territory administration, consumer organisation, industrial unit, industry-association, professional body, member of the Governing Council, member of a technical committee or any individual who proposes for establishment of an Indian Standard or for amending or for revising or withdrawing an established Indian Standard may submit the proposal to the Bureau in writing for the purpose.

(2) On receipt of the proposal under sub-rule (1), the Bureau shall assign the proposal to the concerned Division Council.

(3) The Division Council, on being satisfied as a result of its own deliberations or on investigation and consultation with concerned interests that the necessity for standardisation has been established, shall assign the task of formulating the standard to a sectional committee constituted for the purpose:

Provided that if the proposal for establishing an Indian Standard has not been accepted after its due consideration, the proposer shall be informed of the decision.

(4) The Indian Standard prepared by the sectional committee shall be issued in draft form and widely circulated for a period of not less than one month amongst the various interests concerned for critical review and suggestions for improvement:

Provided that the wide circulation may be waived of, if the Sectional Committee is satisfied that the matter is urgent or non-controversial.

(5) The draft Indian Standards issued under sub-rule (4) shall be finalised by the concerned sectional committee after giving due consideration to the comments that may be received and the draft so finalised shall be submitted to the Chairperson of the concerned Division Council for adoption of the Standard.

(6) The standard so adopted under sub-rule (5) shall be notified by the Bureau.

BIS Rules, 2018 incorporating all amendments

22. The Bureau shall prepare, in such form and at such time in each financial year as may be prescribed, its budget for the next financial year, showing the estimated receipts and expenditure of the Bureau and forward the same to the Central Government.

Budget.

23. Review of Indian standards. – The Bureau shall review, periodically, at least once in five years, all established Indian standards to determine the need for revision, amendment, reaffirmation or withdrawal of such standards, in accordance with the provisions of these rules:

Provided that the need for withdrawal of the established Indian standard shall be

decided upon by the respective Division Council on the recommendations of the sectional committee concerned:

Provided further that proposals relating to minor amendments or amendments in the nature of correction of errors or omissions in established Indian Standards may be notified by the Bureau without reference to the concerned Sectional Committee: Provided also that the Bureau shall have the power to provisionally amend, by notification, such of the provisions of an Indian Standard as in its view are necessary for expeditious fulfilment of any of the objectives of the Act and the amendments so made shall be regularised without further notification if the sectional committee concerned has on examination, approved the standards as so amended, within a period of six months from the date of the notification.

BIS Rules, 2018 incorporating all amendments

23. (1) The Bureau shall prepare, in such form and at such time in each financial year as may be prescribed, its annual report, giving a full account of its activities during the previous financial year, and submit a copy thereof to the Central Government.

Annual report.

(2) The Central Government shall cause the annual report to be laid, as soon as may be after it is received, before each House of Parliament.

24. Indian Standards to be binding in certain cases. - (1) Save as otherwise provided in sub-rule (2), the Indian Standards are voluntary and their implementation depends on adoption by concerned parties.

(2) An Indian Standard shall be binding if it is stipulated in a contract or referred to in a legislation or made mandatory by specific orders of the Government.

BIS Rules, 2018 incorporating all amendments

24. (1) The Bureau shall maintain proper accounts and other relevant records and prepare an annual statement of accounts, in such form as may be prescribed by the Central Government in consultation with the Comptroller and Auditor-General of India.

(2) The accounts of the Bureau shall be audited by the Comptroller and Auditor-General of India at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Bureau to the Comptroller and Auditor-General of India.

Accounts and audit.

(3) The Comptroller and Auditor-General of India and any person appointed by him in connection with the audit of the accounts of the Bureau shall have the same rights and Financial Management of Bureau of Indian Standards. Fund of Bureau. Borrowing powers of Bureau. Budget. Annual report. Accounts and audit.

privileges and the authority in connection with such audit as the Comptroller and AuditorGeneral of India generally has in connection with the audit of Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any office of the Bureau.

(4) The accounts of the Bureau as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf together with the audit report thereon shall be forwarded annually to the Central Government and that Government shall cause the same to be laid before each House of Parliament.

CHAPTER V MISCELLANEOUS

25. Publication. - The Indian Standards established by the Bureau, their revisions and amendments shall be published and copies thereof, in any form as may be determined by the Bureau, shall be made available for sale at such prices as may be determined by the Bureau.

BIS Rules, 2018 incorporating all amendments

25. (1) Without prejudice to the foregoing provisions of this Act, the Bureau shall, in the exercise of its powers or the performance of its functions under this Act, be bound by such directions on questions of policy as the Central Government may give in

writing to it from time to time: Provided that the Bureau shall, as far as practicable, be given an opportunity to express its views before any direction is given under this sub-section.

Power of

Central

Government to

issue

directions.

(2) The decision of the Central Government whether a question is one of policy or not shall be final.

(3) The Central Government may take such other action as may be necessary for the promotion, monitoring and management of quality of goods, articles, processes, systems and services and to protect the interests of consumers and various other stakeholders and notify any other goods, articles, processes, systems and services for the purpose of sub-section (1) of section 16.

26. Standards promotion. - The Bureau may promote adoption of Indian Standards by consumers, commerce, industry, Government and other interests, in such manner as it may consider necessary.

BIS Rules, 2018 incorporating all amendments

26. (1) No person shall, with a view to deceive or likely to deceive the public, use without the previous permission of the Bureau, —

Restriction on

use of name of

Bureau and

Indian

Standard.

(a) any name which so nearly resembles the name of the Bureau as to deceive or likely to deceive the public or the name which contains the expression "Indian Standard" or any abbreviation thereof; or

(b) any title of any patent or mark or trade mark or design, in relation to any goods, article, process, system or service, containing the expressions "Indian Standard" or "Indian Standard Specification" or any abbreviation of such expressions.

(2) Notwithstanding anything contained in any law for the time being in force, no registering authority shall –

(a) register any company, firm or other body of persons which bears any name or mark; or

(b) register a trade mark or design which bears any name or mark; or

(c) grant a patent, in respect of an invention, which bears a title containing any name or mark, if the use of such name or mark is in contravention of sub-section (1).

(3) If any question arises before a registering authority whether the use of any name or mark is in contravention of sub-section (1), the registering authority may refer the question to the Central Government whose decision thereon shall be final.

27. Procedure for establishment of provisional Indian Standards. –

(1) Where a proposal relates to a new technology in respect of which its technical accuracy cannot be established, the Bureau may cause the Division Council to prepare a provisional Indian standards in accordance with the procedure laid down under rule 22.

(2) The provisional Indian Standard so prepared under this rule shall be notified as a provisional Indian Standard without wide circulation, after its adoption by Chairperson of Division Council concerned.

(3) The Foreward of the provisional Indian Standard shall specify the following, namely:-

(i) need for preparing the provisional Indian Standard;

(ii) scope of its application; and

(iii) period of its validity: Provided that the provisional Indian standards so notified under sub-rule (2) shall be valid for a period upto two years, as may be determined by the Bureau on the recommendations of the sectional committee, and may be extended by not more than two years.

(4) The provisional Indian Standard shall not be used for Standard Mark.

(5) The provisional Indian Standards so notified under sub-rule (2) shall, before the expiry of the validity period, be examined by the concerned sectional committee and establish it as a regular Indian Standard: Provided that if the sectional committee is of the opinion that such standards should not be established, with or without modification, as a regular Indian Standard, then the provisional Indian Standard so notified shall lapse after its validity period.

BIS Rules, 2018 incorporating all amendments

**Appointment
and powers of
certification**

officers. 27. (1) The Bureau may appoint as many certification officers as may be necessary for the purpose of inspection whether any goods, article, process, system or service in relation to which the Standard Mark has been used conforms to the relevant standard or whether the Standard Mark has been properly used in relation to any goods, article, process, system or service with or without licence, and for performing such other functions as may be assigned to them. Power of Central Government to issue directions. Restriction on use of name of Bureau and Indian Standard. Appointment and powers of certification officers.

(2) Subject to any rules made under this Act, a certification officer shall have power to – (a) inspect any operation carried on in connection with any goods, article, process, system or service in relation to which the Standard Mark has been used; and (b) take samples of any goods or article or of any material or substance used in any goods, article, process, system or service, in relation to which the Standard Mark has been used.

(3) Every certification officer shall be furnished by the Bureau with a certificate of appointment as a certification officer, and the certificate shall, on demand, be produced by the certification officer.

(4) Every certified body or licence holder shall –

(a) provide reasonable facilities to certification officer to enable him to discharge the duties imposed on him;

(b) inform certification officer or the Bureau of any change in the conditions which were declared or verified by the certification officer or the Bureau at the time of grant of certificate of conformity or licence.

(5) Any information obtained by a certification officer or the Bureau from any statement made or information supplied or any evidence given or from inspection made under the provisions of this Act shall be treated as confidential: Provided that nothing shall apply to the disclosure of any information for the purpose of prosecution and protection of interest of consumers.

28. Concurrent Running of Indian Standards, – (1) The Director General may allow concurrent running of two versions of an Indian Standard and may also decide the period of such concurrent running.

(2) The Director General may allow concurrent running of an Indian Standard and any of its amendments and may also decide the period of such concurrent running.

BIS Rules, 2018 incorporating all amendments

**Power to
search and**

seizure. 28.(1) If the certification officer has reason to believe that any goods or articles, process, system or service in relation to which the contravention of section 11 or sub-sections (6) or (8) of section 14 or section 15 or section 17 has taken place are secreted in any place, premises or vehicle, he may enter into and search such place, premises or vehicle for such goods or articles, process, system or service, as the case may be.

(2) Where, as a result of any search made under sub-section (1), any goods or article, process, system or service has been found in relation to which contravention of section 11 or sub-sections (6) or (8) of section 14 or section 15 or section 17 has taken place, the certification officer may seize such goods or article and other material and documents which, in his opinion will be useful for, or relevant to any proceeding under this Act: Provided that where it is not practicable to seize any such goods or article or material or document, the certification officer may serve on the owner an order that he shall not remove, part with, or otherwise deal with, the goods or article or material or document except with the previous permission of the certification officer.

(3) The provision of the Code of Criminal Procedure, 1973, relating to searches and seizures shall, so far as may be, apply to every search or seizure made under this section. **2 of 1974.**

29. Adoption of other Standards as Indian Standards. –

(1) The Bureau may, in relation to any goods, article, process, system or service, adopt any standard established by any other institution in India or outside India as an Indian Standard with necessary modifications, in accordance with the procedure laid down in rule 22: Provided that any Indian Standard adopted by the erstwhile Indian Standards Institution and the Bureau of Indian Standards established under Bureau of Indian Standards Act, 1986 (63 of 1986) shall be deemed to have been adopted under the provisions of the Act or under these rules or the regulations made under section 39 of the Act.

(2) Standards so adopted as Indian Standards shall be notified by the Bureau in the Official Gazette.

BIS Rules, 2018 incorporating all amendments

Penalty for contravention. 29. (1) Any person who contravenes the provisions of section 11 or sub-section (1) of section 26 shall be punishable with fine which may extend to five lakh rupees.

(2) Any person who contravenes the provisions of sub-sections (6) or (8) of section 14 or section 15 shall be punishable with imprisonment for a term which may extend to one year or with fine which shall not be less than one lakh rupees, but may extend up to five times the value of goods or articles produced or sold or offered to be sold or affixed or applied with a Standard Mark including Hallmark, or with both: Provided

that where the value of goods or articles produced or sold or offered to be sold cannot be determined, it shall be presumed that one year's production was in such contravention and the annual turnover in the previous financial year shall be taken as the value of goods or articles for such contravention.

(3) Any person who contravenes the provisions of section 17 shall be punishable with imprisonment for a term which may extend up to two years or with fine which shall not be less than two lakh rupees for the first contravention and not be less than five lakh rupees for the second and subsequent contraventions, but may extend up to ten times the value of goods or articles produced or sold or offered to be sold or affixed or applied with a Standard Mark, including Hallmark, or with both: Provided that where the value of goods or articles produced or sold or offered to be sold cannot be determined, it shall be presumed that one year's production was in such contravention and the annual turnover in the previous financial year shall be taken as the value of goods or articles for such contravention.

(4) The offence under sub-section (3) shall be cognizable.

30. Recognition or accreditation of Institutions engaged in standardisation. - The terms and conditions for recognition or accreditation of any institution in India or outside India, engaged in standardisation, shall be as decided by Executive Committee.

BIS Rules, 2018 incorporating all amendments

Offences by companies.

30. Where an offence under this Act has been committed by a company, every director, manager, secretary or other officer of the company who, at the time the offence was committed, was in charge of and was responsible to the company for the conduct of the business of the company, or authorised representative of the company as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly, irrespective of the fact that the offence has been committed with or without the consent or connivance of, or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, or authorised representative of the company.

Explanation. — For the purposes of this section, —

(a) "company" means a body corporate and includes a firm or other association of individuals; and

(b) "director", in relation to a firm, means a partner in the firm.

31. Standard Mark. – (1) The Standard Mark shall be published by the Bureau in the Official Gazette.

(2) The Standard Mark established and notified by the Indian Standards Institution and the Bureau of Indian Standards established under the Bureau of Indian Standards Act, 1986 (63 of 1986) shall be deemed to be valid unless amended or rescinded by the Bureau.

BIS Rules, 2018 incorporating all amendments

Compensation for nonconforming goods.

31. Where a holder of licence or certificate of conformity or his representative has sold any goods, article, process, system or service, which bears a Standard Mark not conforming to the relevant standard, or with colourable imitation, the certified body or licence holder or his representative shall be liable to compensate the consumer for the injury caused by such non-conforming goods, article, process, system or service in such manner as may be prescribed.

32. Establishment, maintenance and recognition of laboratories. –

(1) The laboratories established and maintained by the Bureau shall –

(a) carry out testing of samples in relation to conformity assessment schemes of Bureau ;

(b) carry out research and development investigations or testing for collecting data for evolving and revising Indian Standards and for quality assessment studies;

(c) provide support services to industries for quality improvement on such terms and conditions as may be laid down by the Bureau from time to time; and

(d) carry out such other functions as may be necessary to fulfill the objectives of the Bureau. (2) The Bureau may recognise any laboratory in India or outside India for carrying out testing of samples in relation to conformity assessment and such other functions as the Bureau may assign to it.

(3) The Bureau may issue guidelines for recognition, suspension or withdrawal, revocation or renewal, of recognition of laboratories.

(4) The Bureau shall maintain a record of laboratories recognised by it for testing samples of articles or processes in relation to the relevant Indian Standards.

BIS Rules, 2018 incorporating all amendments

Cognizance of offence by

courts. 32. (1) No court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class, specially empowered in this behalf, shall try any offence punishable under this Act.

(2) No court shall take cognizance of any offence punishable under this Act save on a complaint made by –

(a) or under the authority of the Bureau; or

(b) any police officer, not below the rank of deputy superintendent of police or equivalent; or

(c) any authority notified under sub-section (2) of section 16; or

(d) any officer empowered under the authority of the Government; or

(e) any consumer; or (f) any association.

(3) Any police officer not below the rank of deputy superintendent of police or equivalent, may, if he is satisfied that any of the offences referred to in sub-section (3) of section 29 has been, is being, or is likely to be, committed, search and seize without warrant, the goods, die, block, machine, plate, other instruments or things involved in committing the offence, wherever found, and all the articles so seized shall, as soon as practicable, be produced before a Magistrate as prescribed under sub-section (1).

Offences by companies. Cognizance of offence by courts. Compensation for nonconforming goods.

The court may direct that any property in respect of which the contravention has taken place shall be forfeited to the Bureau.

(5) The court may direct that any fine, in whole or any part thereof, payable under the provisions of this Act, shall be payable to the Bureau.

33. Appointment of agents. – (1) The Bureau may appoint any person or laboratory or organisation in India or outside India as its agent to act on its behalf for discharging any one or more of the following functions, namely :-

(a) to carry out inspections of manufacturer's premises in India or outside India for allowing use of the Standard Mark or for grant of certificate of conformity;

(b) to test samples of products for their conformity to Indian Standards;

(c) to inspect consignments intended to be covered under the Standard Mark or under certificate of conformity;

(d) to collect market samples; and

(e) to carry out market surveillance and surveys for any goods, article, process, system or service.

(2) The terms and conditions of the appointment of agents shall be set out in an agreement between the Bureau and the agent so appointed: Provided that the appointment of agents outside India shall be made with the previous approval of the Central Government.

BIS Rules, 2018 incorporating all amendments

2 of 1974. 33. (1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, any offence committed for the first time, punishable under this Act, not being an offence punishable with imprisonment only, or with imprisonment and also with fine, may, either before or after the institution of any prosecution, be compounded by an officer so authorised by the Director General, in such manner as may be prescribed: Provided that the sum so specified shall not in any case exceed the maximum amount of the fine which may be imposed under section 29 for the offence so compounded; and any second or subsequent offence committed after the expiry of a period of three years from the date on which the offence was previously compounded shall be deemed to be an offence committed for the first time.

Compounding

of offence.

(2) Every officer referred to in sub-section (1) shall exercise the powers to compound an offence, subject to the direction, control and supervision of the Bureau.

(3) Every application for the compounding of an offence shall be made in such manner as may be prescribed.

(4) Where any offence is compounded before the institution of any prosecution, no prosecution shall be instituted in relation to such offence against the offender in relation to whom the offence is so compounded.

Appeal.

(5) Where the composition of any offence is made after the institution of any prosecution, such composition shall be brought to the notice of the court in which the prosecution is pending in writing by the officer referred to in sub-section (1), and on such notice of the composition of the offence being given and its acceptance by the court, the person against whom the offence is so compounded shall be discharged.

34. Inspection of goods, article, process, system or service when Standard Mark or conformity to Indian Standards is required by the Act or under any other law. -

(1) The Bureau may carry out inspections, through its certification officers or agents, of goods, articles, processes, systems or services where Standard Mark or conformity to Indian Standards is required or claimed under the Act.

(2) The inspections may be carried out in India or outside India at place of manufacture before dispatch, or at the place of its entry into India, or at place of its

sale or use in India. (3) The inspections may include inspection of quality control system, or verification of records of testing or testing of a sample or any other related matter.

(4) The fees for inspection and expenses incurred in travelling and other expenses relating thereto, shall be paid in the manner and at the rates as may be specified by the Bureau from time to time.

BIS Rules, 2018 incorporating all amendments

34. (1) Any person aggrieved by an order made under section 13 or sub-section (4) of section 14 or section 17 of this Act may prefer an appeal to Director General of the Bureau within such period as prescribed.

(2) No appeal shall be admitted if it is preferred after the expiry of the period prescribed therefor: Provided that an appeal may be admitted after the expiry of the period prescribed therefor if the appellant satisfies the Director General that he had sufficient cause for not preferring the appeal within the prescribed period.

(3) Every appeal made under this section shall be made in such form and shall be accompanied by a copy of the order appealed against and by such fees as may be prescribed.

(4) The procedure for disposing of an appeal shall be such as may be prescribed: Provided that before disposing of an appeal, the appellant shall be given a reasonable opportunity of being heard.

(5) The Director General may suo motu or on an application made in the manner prescribed review the order passed by any officer to whom the power has been delegated by him. (6) Any person aggrieved by an order made under sub-section (1) or sub-section (5) may prefer an appeal to the Central Government having administrative control of the Bureau within such period as may be prescribed. Compounding of offence.

Members, officers and employees of Bureau to be public servants. 45 of 1860.

35. Other functions of the Bureau. – The Bureau may, -

(a) formulate, implement and coordinate activities relating to quality maintenance and improvement in products and processes;

(b) promote harmonious development in standardisation, management systems and conformity assessment, and matters connected therewith both within the country and at international level;

- (c) provide information, documentation and other services to consumers and consumer organisations on such terms and conditions as may be mutually agreed upon;
- (d) give recognition to quality assurance systems in manufacturing or processing units or service providers, on such terms and conditions as may be mutually agreed upon;
- (e) bring out handbooks, guides and other special publications;
- (f) carry out inspections and testing or testing of goods and articles or audit of process, system or service for conformity to any other standard if so authorised, on such terms and conditions as may be mutually agreed upon; and
- (g) formulate, implement and coordinate activities of conformity assessment to the relevant Indian Standards on voluntary or compulsory basis, of goods, article, process, system or service as may be considered expedient in public interest

BIS Rules, 2018 incorporating all amendments

Members, officers and employees of Bureau to be public servants.

35. All members, officers and other employees of the Bureau shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of section 21 of the Indian Penal Code.

36. Provision as to restriction to use certain names, etc. –

- (1) Any person using any name, mark or trade mark, etc., referred to in sub-section (1) of section 26 of the Act who has not obtained previous approval of the Bureau for such use shall, if such name, mark or trade mark, etc., has been established by or under any law for the time being in force, make an application to the Bureau for permission to the use thereof, within a period of six months from the date of notification of these rules and the Bureau may grant permission to such name, mark or trade mark, etc.
- (2) The application to be made to the Bureau under sub-rule (1) shall be in such form as may be specified by the Bureau.
- (3) The Bureau shall cause to be maintained a register in which shall be entered all names, marks and trademarks permitted by the Bureau under sub-rule (1).

BIS Rules, 2018 incorporating all amendments

Protection of action taken in good faith.

36. No suit, prosecution or other legal proceeding shall lie against the Government or any officer of the Government or any member, officer or other employee of the Bureau for anything which is done or intended to be done in good faith under this Act or the rules or regulations made thereunder.

37. Appeals against decisions of Bureau. –

(1) Any person aggrieved by an order made under section 13 or sub-section (4) or sub-section (5) of section 14 or section 17 of the Act may prefer an appeal to the Director General within ninety days from the date of the order: Provided that if the appellant satisfies the Director General that he had sufficient cause for not preferring the appeal within the period so specified, the appeal may be admitted after the expiration of the said period of ninety days.

(2) Every appeal made under sub-rule (1) shall be filed in duplicate and shall be accompanied by a self-attested copy of the order appealed against.

(3) Every appeal made under sub-rule (1) shall be accompanied by a fee of two thousand rupees in the form of a demand draft or pay order or E transfer, drawn in favour of the Bureau.

(4) The Director General may call for relevant documents from the appellant and may after such inquiry in the matter as he considers necessary and after giving an opportunity to the parties to be heard, pass such orders as he thinks fit: Provided that the appeal shall be disposed of within a period of ninety days from the date of its filing.

(5) The Director General may, suo-moto, or on an application made in the form as specified by the Bureau from time to time, review and reconsider any order passed under sub-rule (4) by an officer to whom the powers have been delegated by him and may confirm, modify or set aside the orders passed by such officer after the review.

(6) Any person aggrieved by an order passed by the Director General under sub-rule (4) or sub-rule (5), as the case may be, may prefer an appeal to the Central Government in the Ministry having administrative control of the Bureau within a period of sixty days from the date of such order.

(7) The provisions of sub-rule (2) and sub-rule (4) shall apply, mutatis mutandis to every appeal filed under sub-rule (6)

BIS Rules, 2018 incorporating all amendments

Authentication of orders and other instruments of Bureau.

37. All orders and decisions of, and all other instruments issued by, the Bureau shall be authenticated by the signature of such officer or officers as may be authorised by the Bureau in this behalf.

38. Budget. – (1) The Bureau shall prepare budget estimates for the next year and the revised estimates for the current year and shall forward it to the Central Government by 15th October each year or by such date as may be decided by the Central Government. (2) The estimates under sub-rule (1) shall be prepared separately on

revenue and capital accounts. (3) The estimates shall contain the following, namely:- (a) budget estimates for the current year; (b) revised estimates for the current year; and (c) budget estimates for the next year : Provided that where the expenditure is of an emergent and essential character but provision for the same has not been made in the budget, it shall be incurred only after the approval by the Executive Committee.

BIS Rules, 2018 incorporating all amendments

Power to make

rules. 38. The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

39. Appropriation and reappropriation. – (1) The funds provided in the sanctioned budget shall be deemed to be at the disposal of the Director General who shall have full powers to appropriate sums therefrom to meet the expenditure under different heads of accounts for activities and purposes authorised and provided for in the budget : Provided that funds shall not be appropriated or reappropriated to meet the expenditure which has not been sanctioned by an authority competent to sanction it. (2) The Director General shall have powers within the scope of the budgeted activities and purposes to reappropriate sums from one head of account to another: Provided that funds shall not be reappropriated – (i) to meet the expenditure on any new item of work not contemplated in the budget; (ii) to meet the expenditure on any project involving construction which has not received administrative approval and technical sanction from the competent authorities; (iii) to meet the expenditure on any project involving construction, in excess of ten per cent of the approved estimates; (iv) from the provision made for any specified new item of expenditure in the budget for any other purpose; (v) from funds provided under plan heads to the non-plan heads of expenditure and from capital to revenue and vice versa; and (vi) from or to head of account "overseas travel" expenditure.

BIS Rules, 2018 incorporating all amendments

Power to make

regulations. 39. The Executive Committee may, with the previous approval of the Central Government, by notification in the Official Gazette, make regulations consistent with this Act and the rules to carry out the purposes of this Act.

40. Bank accounts. – (1) Bank accounts shall be opened in the State Bank of India or any of its subsidiaries or any of the nationalised banks and operated in such a manner as may be authorised by the Director General. (2) All money belonging to the fund shall be deposited promptly into the Bank

BIS Rules, 2018 incorporating all amendments

Rules and

regulations to

be laid before

Parliament. 40. Every rule and every regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation or both Houses agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.

41. Investment. – Moneys belonging to the fund may, with the approval of the Director General or any other officer authorised in this behalf, be invested in the form and modes as specified under sub-section (5) of section 11 of the Income-tax Act, 1961 (113 of 1961) for Investment of income derived from property held under trust wholly for charitable or religious purposes.

BIS Rules, 2018 incorporating all amendments

Act not to

affect operation

of certain Acts.

41. Nothing in this Act shall affect the operation of the Agricultural Produce (Grading and Marking) Act, 1937 or the Drugs and Cosmetics Act, 1940, or any other law for the time being in force, which deals with any standardisation or quality control of any goods, article, process, system or service.

42. Contract. – (1) The Bureau may enter into all such contracts as it may consider necessary for giving effect to any of the provisions of the Act. (2) Every contract made under or for any purpose of the Act shall be made on behalf of the Bureau by the Director General or such other officers as may be authorised by him/her in this behalf.

BIS Rules, 2018 incorporating all amendments

Power to

remove

difficulties.

42. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to be necessary for removing the difficulty: Provided that no order shall be made under this section after the expiry of two years from the commencement of this Act. (2) Every

order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

43. Administration of provident fund. – (1) The General Provident Fund applicable to the officers and employees of the Bureau shall be administered by a committee of administrators, to be nominated by the Director General, comprising a Chairman and four other persons out of which at least two of them shall be the representatives of officers and employees. (2) The functions of the committee of administrators shall include management of the provident funds and investment of the same in Government securities and other deposits, in the manner laid down by the Central Government in this regard.

BIS Rules, 2018 incorporating all amendments

Repeal and 63 of 1986.

savings. 43. (1) The Bureau of Indian Standards Act, 1986 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken or purported to have done or taken including any rule, regulation, notification, scheme, specification, Indian Standard, Standard Mark, inspection order or notice made, issued or adopted, or any appointment, or declaration made or any licence, permission, authorisation or exemption granted or any document or instrument executed or direction given or any proceedings taken or any penalty or fine imposed under the Act hereby repealed shall, insofar as it is not inconsistent with the provisions of this Act, be deemed to have been done or taken under the corresponding provisions of this Act. Protection of action taken in good faith. Authentication of orders and other instruments of Bureau. Power to make rules. Power to make regulations. Rules and regulations to be laid before Parliament. Act not to affect operation of certain Acts. 1 of 1937. Power to remove difficulties.

10 of 1897. (3) The mention of particular matters in sub-section (2) shall not be held to prejudice or affect the general application of section 6 of the General Clauses Act, 1897 with regard to the effect of repeal.

44. Pension or gratuity liability fund. - (1) The Bureau shall maintain a pension or gratuity liability fund. (2) The Fund shall be utilised for the payment of pension, gratuity and commuted value of pension only and no appropriation shall be made out of this fund. (3) The corpus of the fund shall be on the basis of actuarial valuation and shortfall shall be made through the appropriation of the surplus from income and expenditure account or transfer from the fund of the Bureau. (4) An annual contribution based on actuarial valuation shall be made to the fund and charged to income and expenditure account of the Bureau. (5) The Investment of the fund shall be made in accordance with rule 41. (6) The custody, operation and maintenance of the records of the fund shall be in such a manner as may be authorised by the Director General.

45. Annual report. – (1) The Bureau shall prepare its annual report and forward it to the Central Government within @eight months of the end of the financial year for being laid before each House of Parliament. (2) The annual report shall give a full account of the activities of the Bureau during the previous year and shall include the audited accounts of the year and the report of the Comptroller and Auditor General of India thereon.

46. Accounts. – (1) The Bureau shall maintain accounts of its income and expenditure relating to each year and prepare annual statement of accounts consisting of income and expenditure account and the balance sheet. (2) Annual statement of accounts shall be submitted for audit not later than 30th June each year in the common accounting format prescribed by Ministry of Finance from time to time for central autonomous bodies or as nearer thereto as the circumstances admit. (3) The annual statement of accounts prepared under sub-rule (1) shall be signed on behalf of the Bureau by the officer incharge of accounts and the Director General and shall be approved by the Executive Committee.

47. Certification officers. – (1) Every certification officer appointed under sub-section (1) of section 27 of the Act shall be furnished by the Bureau with a certificate of appointment as a certification officer in the form as specified by the Bureau from time to time. (2) The certificate shall be carried by the certification officer at all times while he is on duty and shall, on demand, be produced by him. (3) Every applicant for a licence or certificate of conformity or every holder of licence or certificate of conformity shall afford to the certification officer such reasonable facilities as the certification officer may require for carrying out the duties imposed on him by or under the Act.

48. Powers of certification officer. – Without prejudice to the powers conferred under section 27 and section 28 of the Act, a certification officer may – (a) at any time during the usual business hour enter upon any premises in which any goods, article, process, system or service, in respect of which a licence or certificate of conformity has been granted, with a view to ascertain that the Standard Mark is being used in accordance with the terms and conditions imposed by the Bureau and that the Scheme of inspection and testing specified by the Bureau is being correctly followed; (b) inspect and take samples at such premises of any such goods or article or any material used or intended to be used in the manufacture of such goods or article which is marked with a Standard Mark; (c) inspect any process, system or service at such premises in respect of which the certified body or licence holder has been granted a certificate of conformity or given the authority to use the Standard Mark; (d) examine the records kept by the certified body or licence holder relating to the certificate of conformity or use of the Standard Mark; (e) seize any such goods or articles or material or document which in his opinion will be useful, or relevant to any proceeding under the Act or under these rules.

49. Compensation for non-conforming goods. – (1) Where a certified body or license holder or his representative has sold goods, articles, processes, system or services, which bear a Standard Mark or any colourable imitation thereof, which do not conform to the relevant standard, and where the Bureau decides that the certified body or license holder or his representative shall pay compensation under clause (b), of sub-section (7) of section 18 of the Act, then the compensation payable in such case shall be two times the selling price of the non-conforming goods, article, process, system or service, and the testing charges: Provided that in case of precious metal article not conforming to the relevant standards, such compensation shall be two times the amount of difference calculated on the basis of shortage of purity for the weight of such article sold and the testing charges. (2) Every application for compensation shall be made in the form as specified by the Bureau from time to time together with self-attested copies of relevant documents, including the test report of the goods, article, process, system or service in question, relevant to establish the non-conformance and such test report shall be issued by any laboratory maintained or recognised by the Bureau. (3) The Head of the Regional office of the Bureau under whose jurisdiction the holder of licence or certificate of conformity falls, shall be the authority competent to decide the compensation: Provided that the authority shall decide the application within sixty days of its filing. Provided further that before passing any order under this sub-rule, an opportunity to file a statement of defence shall be afforded to the holder of licence or certificate of conformity to whom the application relates and an opportunity of personal hearing may also be given to both the sides, if the circumstances so deserve. (4) In case the holder of licence or certificate of conformity fails or refuses to pay the amount of compensation, as provided under this rule, within a period of thirty days from the date of passing of the order, the Bureau may cancel the licence or certificate of conformity: Provided that the period of thirty days may be extended by a maximum period of another thirty days by the authority, if an application revealing genuine hardship is preferred by the holder of licence or certificate of conformity. (5) If the non-conformity to standard is established, the Bureau will carry out inspection of other samples of the product in the market or at the production site and initiate further action against the licensee as per the license conditions. (6) Where the Bureau decides that a certified body or licence holder or his representative is liable for injury caused by non-conforming goods or article under clause (c) of sub-section (7) of section 18 of the Act, it shall communicate this decision to the certified body or licence holder or his representative and the certified body or licence holder or his representative shall take a decision on the compensation under section 31 of the Act within a period of two months of receipt of such communication.

50. Compounding of offences. – (1) Any offence committed for the first time punishable under the Act may either before or after the institution of any prosecution, be compounded by an officer so authorised by Director General: Provided that the Director General shall authorise in writing, the Head of the Regional office or any other senior officer of the Bureau of equivalent rank, to be the compounding authority under this rule. # (2) Any person may, either before or after the institution of

prosecution, make an application in Form-‘A’ to the compounding authority for composition of an offence as specified in section 33 of the Act. (3) On receipt of an application under sub- rule (2), the compounding authority shall call for a report from the concerned branch office with reference to the particulars furnished in the application or any other information which may be considered relevant for examination of such application and a report shall be furnished by the branch office within a period of thirty days or within such extended period as may be allowed by the compounding authority, from the date of receipt of communication from the compounding authority. (4) The compounding authority, after giving personal hearing to the applicant and after taking into account the contents of the said application may by order giving reasons of arriving at the decision, either allow the application indicating the compounding amount or reject such application: Provided that the application shall not be rejected unless an opportunity has been given to the applicant of being heard and the grounds of such rejection are mentioned in such order. Provided that the applicant shall not claim, as a matter of right, that his offence be compounded: Provided further that no compounding shall be allowed by the compounding authority where there are apparent contradictions, inconsistencies or incompleteness in the case of the applicant. (5) A copy of order passed under sub- rule (4) shall be sent to the applicant by registered post or speed post or by e-mail at the address given in the application and also be placed on the website of the Bureau. (6) Where the prosecution has already been instituted, the compounding authority may bring the composition, including the compounding amount, to the notice of the court by filing appropriate application, and shall be bound by the decision of the court on such application. (7) The applicant shall within a period of thirty days from the date of receipt of order under sub-rule (4) allowing the compounding of offences, or order of the court under sub-rule (6), pay to the Bureau the compounding amount as ordered to be paid by the compounding authority or the court, as the case may be, and shall furnish the proof of such payment to the compounding authority: Provided that the compounding amount once paid shall not be refunded except in cases where the court rejects grant of immunity from prosecution for the same offence. (8) The amount so compounded under this rule shall be as provided in the following table:

Sl. No.	Offence specified under the Act	Compounding Amount
1	Sub-section (1) of section 29	Fifty percent of the maximum and subject to a minimum of twenty-five percent of the applicable fine.
2	Sub-section (2) of section 29	Fifty percent of the maximum and subject to a minimum of one lakh rupees of the applicable fine.
3	Sub-section (3) of section 29	Fifty percent of the maximum and subject to a minimum of two lakh rupees of the applicable fine.

(9) If the person has committed offences falling under more than one of the categories specified in the table in sub-rule (8), the amount so compounded, in such cases shall

be the amount as determined for the offence for which a higher compounding amount has been prescribed. 51. Powers and duties of compounding authority. –

(1) The compounding authority, if he is satisfied that any person who has made the application for compounding of offence under sub-rule (2) of rule 50 has cooperated in the proceedings before him and has made full and true disclosure of the facts relating to the goods, articles, process, system or service, grant such person immunity from prosecution under the Act, if the prosecution has not been instituted with respect to the case so compounded, subject to such conditions as the compounding authority may find fit to impose.

(2) The compounding authority shall endeavour to decide every application for compounding within sixty days of its filing.

(3) The compounding authority shall file before the Director General, a monthly report indicating the details of applications received by him and actions taken thereon.

BIS Rules, 2018 incorporating all amendments

BIS Act, 2016 BIS (Removal of Difficulty) Order, 2019

**MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
(Department of Consumer Affairs)**

ORDER

New Delhi, the 10th April, 2019

S.O. 1557(E).— Whereas, sub-section (3) of section 9 of the Bureau of Indian Standards Act, 2016 (11 of 2016)

(hereafter referred to as the said Act) provides that the Bureau shall perform its functions under this section through the Governing Council in accordance with the direction and subject to such rules as may be made by the Central Government;

And whereas, clause (33) of section 2 of the said Act defines the term “regulation” to mean regulations made by the Bureau under the Act;

And whereas, section 39 provides that the Executive Committee may, with the previous approval of the Central Government, by notification in the Official Gazette, make regulations consistent with this Act and the rules to carry out the purposes of the Act;

And whereas, the said provision is contrary to clause (33) of the section 2 of the said Act And whereas, by oversight, the Executive Committee has been erroneously mentioned in section 39 of the said

Act and is empowered to make regulations thereunder, instead of the Bureau;

And whereas, there is a need to rectify the said error and to remove the difficulty of reference to the Executive Committee instead of the Bureau;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 42 of the Bureau of Indian Standards Act, 2016 (11 of 2016), the Central Government hereby makes the following Order to remove the above said difficulty, namely: –

1. Short title and commencement. – This Order may be called the Bureau of Indian Standards (Removal of Difficulty) Order, 2019.
2. In the Bureau of Indian Standards Act, 2016, in section 39, for the words “the Executive Committee”, the words “the Bureau” shall be substituted.

Conditions of the licence

- (1) The design of Standard Mark shall be identical to the facsimile given in the licence.
- (2) The photographic enlargement or reduction of the Standard Mark may also be used, unless otherwise specified by the Bureau.
- (3) The licensee shall be responsible for the conformity of the goods, article, process, system or service to the Indian Standard in relation to which Standard Mark is used or applied.
- (4) The licensee shall not use the Standard Mark in relation to goods, articles, process, system or service which are non –conforming or outside the scope of the licence.
- (5) If goods and articles in relation to which a Standard Mark has been used do not conform to the requirements of the relevant standard, the Bureau may direct the licensee or his representative to recall such non-conforming goods.
- (6) The Standard Mark shall not be used or applied in relation to any goods, article, process, system or service during deferment or suspension, or, after expiry or cancellation of the licence.
- (7) The licensee shall comply with the provisions of the conformity assessment scheme under which licence is granted, including labelling and marking requirements.

- (8) The licensee shall maintain records as specified by the Bureau from time to time.
- (9) The licensee shall provide the Bureau all assistance in connection with carrying out inspection or audit at its premises.
- (10) The licensee shall provide information relating to production and use or applying of Standard Mark as and when it is required by the Bureau.
- (11) If the licence is granted to use or apply Standard Mark on goods or articles, the licensee shall provide the list of consignees, distributors, dealers or retailers to whom goods or articles with Standard Mark is supplied.
- (12) The licence shall not be transferred to any person without approval of the Bureau.
- (13) If a complaint regarding quality of any goods, article, process, system or service bearing Standard Mark is established, the Bureau may direct the licensee or his representative to repair or replace or reprocess the standard marked goods and articles.
- (14) The Bureau shall have the right to amend any of the conditions of licence by giving a notice of not less than one month to the licensee

The Bureau of Indian Standards (Conformity Assessment) Regulations, 2018

Chapter I

Grant, Operation, Renewal and Cancellation of Certificate of Registration

3. Application for certificate of registration. - (1) A jeweller shall apply for grant of certificate of registration to sell precious metal articles notified under sub-section (1) of section 14 of the Act.
- (2) The application under sub-regulation (1) shall be made to the Bureau in Form-I, annexed to these regulations, along with the fee specified in the Schedule-I.
- (3) The application form shall be signed by the applicant or by any other person authorised in this regard.
- (4) The application shall be accompanied by self-certified copy of the following documents, namely:-
- (a) proof of establishment of the firm or company;
 - (b) proof of the address of the premises;
 - (c) proof of identity of the signatory;
 - (d) map indicating location of the premises from the nearest landmark; and
 - (e) proof in regard to annual turnover.
- (5) The application shall be rejected if it is not accompanied by requisite fee.

- (6) The application shall be acknowledged on its receipt.
- (7) If the documents submitted under sub regulation (4) are not in order, the Bureau may call for required document or any supplementary information, as the case may be, if required for the purpose of clarification.
- (8) If the document or clarification furnished by the applicant is found in order, the application shall be further processed for grant of a certificate of registration.
- (9) The application under sub-regulation (2) may be rejected by the Bureau if the documents are not found in order.
- (10) The applicant may furnish his reply with necessary documents and may request for hearing either in person or through a representative authorised by him within fourteen days from the date of receipt of the notice.
- (11) The decision of the Bureau with the grounds of rejection shall be communicated in writing to the applicant.
- (12) The application fee shall not be refundable in case of rejection of the application under subregulation (9).

4. Grant of certificate of registration. –

- (1) The Bureau may grant certificate of registration,-
 - (a) if the application is found in order; and
 - (b) on payment of registration fee specified in Schedule-I.
- (2) The certificate of registration shall be granted in Form-II annexed to these regulations and shall be valid for a period of five years.
- (3) The details of the certificate of registration shall be hosted on the website of the Bureau.
- (4) The certificate of registration shall be valid for the premises mentioned in the certificate of registration.
- (5) The certificate of registration shall be subject to terms and conditions specified in regulation 5.

5. Terms and conditions of certificate of registration. - (1) The registered jeweller shall be responsible for purity and fineness of the hallmarked precious metal articles sold by it.

- (2) The registered jeweller may sell hallmarked precious metal articles, which are marked with the identification mark of any other jeweller, provided evidence of purchase or authorisation in any other form is available with him.
- (3) The registered jeweller getting the article hallmarked shall be responsible for purity and fineness of such article.
- (4) The registered jeweler, who makes the sale shall be liable to pay compensation for any shortage in purity or fineness as per rules.
- (5) The registered jeweller shall inform the Bureau of any change in premises and management of the firm.
- (6) The registered jeweller shall get the precious metal articles hallmarked as per the relevant Indian Standard from an assaying and hallmarking centre recognised by the Bureau.
- (7) The registered jeweller shall submit the precious metal articles to the assaying and

hallmarking centre with a request for hallmarking, in writing for each consignment and a copy of the each of the request shall be maintained by him.

(8) While submitting the precious metal articles for assaying and hallmarking, the registered jeweller shall mention his name and address, certificate of registration number, identification mark,

type of article, number of article, declared purity of each article or group of articles and overall weight of consignment in each request, which shall be signed by an authorised representative of the jeweller with date.

(9) The registered jeweller shall declare the name and signature of his representative who shall be authorised to submit request for hallmarking, to the assaying and hallmarking centre.

(10) The registered jeweller shall pay hallmarking fee to the assaying and hallmarking centre as specified in Schedule III.

(11) The bill or invoice of sale of hallmarked precious metal articles shall indicate separately description of each article, net weight of precious metal, purity in carat and fineness, and hallmarking charges.

(12) In case of any amendment or revision of the standard, the Bureau shall give notice of thirty days to the registered jeweller before its implementation.

(13) The registered jeweller shall maintain record of copies of request for hallmarking, invoice or bill issued by assaying and hallmarking centre, invoice or bill of sale of hallmarked articles and invoice or bill of purchase of hallmarked articles from jewellers, if any, for a period of five years or till the hallmarked articles are sold, whichever is longer.

(14) The registered jeweller shall co-operate with the authorised representative of the Bureau in inspection of its outlet, in production of relevant records and drawal of sample during surveillance or for investigation of a complaint.

(15) The registered jeweller shall display prominently in the sales outlet the original certificate of registration issued by the Bureau for sale of hallmarked articles and other display requirements as stipulated by the Bureau.

(16) The Bureau may alter, during the validity of the certificate of registration, any terms and conditions of the certificate of registration by giving thirty days' notice to the registered jeweller.

(17) The violation of terms and conditions, may lead to the cancellation of the certificate of registration.

6. Renewal of certificate of registration. –

(1) The registered jeweller shall submit renewal application in Form-III annexed to these regulations to the Bureau along with fee as specified in Schedule-I before thirty days of the expiry of the validity of certificate of registration.

(2) In case renewal application is received before the expiry of validity,-

(a) the certificate of registration may be renewed for a period of five years; or

(b) the decision on renewal of the certificate of registration may be kept under deferment up to three months, if certificate of registration is being considered for

cancellation or nonrenewal and the decision of deferment shall be informed to the registered jeweller with instructions to stop the sale of hallmarked precious metal articles and stop getting precious metal articles hallmarked.

7. Cancellation or non-renewal of certificate of registration. - (1) The Bureau may cancel or not renew a certificate of registration, if,-

(a) any declaration made by the jeweller is found to be false or incorrect;

(b) registered jeweller has violated any of the terms and conditions of the certificate of registration;

(c) registered jeweller has sold or offered for sale of hallmarked precious metal article of purity or fineness less than that claimed or marked on the article;

(d) registered jeweller has failed to co-operate with the authorised representative of the Bureau

to enable him to discharge his duties during the visit for surveillance or investigation of a complaint;

(e) registered jeweller is found indulging in any unfair practices amounting to misuse of hallmark.

(2) Before cancellation or non-renewal of certificate of registration, the Bureau shall give notice to the registered jeweller of its intention to cancel or not renew the certificate of registration citing reasons for the same.

(3) In case the notice is issued for cancellation or non-renewal of certificate of registration due to reasons given at clause (e) of sub-regulation (1), the registered jeweller shall be instructed to

stop the sale of hallmarked precious metal articles and stop getting precious metal articles hallmarked forthwith.

(4) On receipt of notice under sub-regulation (2), the registered jeweller may submit an explanation to the Bureau within fourteen days from the date of receipt of the notice.

(5) When an explanation is submitted, the Bureau may consider the explanation and give a personal hearing to the registered jeweller or his authorised representative, as the case may be.

(6) In the case of compounding of the offence, the certificate shall not be processed for cancellation.

(7) If no explanation is submitted, the Bureau may cancel the certificate of registration on the expiry of period of the notice.

(8) Where a certificate of registration has been cancelled or not renewed, the jeweller shall stop the sale of hallmarked precious metal articles and stop getting precious metal articles hallmarked from any assaying and hallmarking centre notwithstanding the pendency of appeal under section 34 of the Act.

(9) In cases of cancellation or non-renewal due to reasons given in clause (e) of sub-regulation

(1), the Bureau shall not accept an application for grant of certificate of registration before a cooling period of one year from the date of passing of such order.

(10) The Bureau shall host the particulars of certificate of registrations which have been cancelled or not renewed, on its website.

(11) The jeweller shall return the original certificate of registration document to the Bureau in the event of its surrender, cancellation or non-renewal and shall ensure defacing of the hallmark from the precious metal articles available in stock.

(12) In the event of cancellation, non-renewal or the jeweller opting to surrender the certificate of registration, the jeweller shall forthwith destroy all publicity material such as handbills, pamphlets and letterheads, through which the jeweller claims to be the registered jeweller for selling hallmarked precious metal articles.

(13) A registered jeweller, who has been convicted under the provisions of the Act, shall not be eligible to apply for certificate of registration for a cooling period of one year from the date of such conviction.

Chapter II

Grant, Operation, Renewal, Suspension and Cancellation of Recognition of Assaying and Hallmarking Centre

8. Application for recognition. - (1) Any assaying centre set up in accordance with a relevant Indian Standard may apply for grant of recognition to operate as assaying and hallmarking centre.

(2) The application shall be made in the Form-IV annexed to these regulations to the Bureau along with the fee specified in Schedule-II accompanied by self-certified copy of the following

documents, namely:-

- (a) proof of the establishment of the firm or company;
- (b) proof of the address of the premises;
- (c) proof of identity of the signatory;
- (d) map indicating location of the premises from the nearest landmark;
- (e) quality manual; and
- (f) affidavit cum undertaking in Form-V

(3) The application shall be signed by the applicant or by any other person authorised in this regard.

(4) The application shall be rejected if it is not accompanied by requisite fee.

(5) The application shall be acknowledged after its receipt and recorded after its scrutiny, if found in order.

(6) If the documents submitted under sub-regulation (2) are not in order, the Bureau may call for required documents or any supplementary information, as the case may be, if required for the purpose of clarification.

(7) On examination, the Bureau may reject an application, if, -

(a) the application is found to be incomplete or without relevant documents;

(b) at any time during processing of application it is found that the assaying and hallmarking centre is indulging in any malpractice amounting to misuse of hallmark for which it is liable to be prosecuted under the Act;

(c) the centre does not have the necessary infrastructure and competence as per the relevant Indian Standard for carrying out assaying and hallmarking of the precious metal articles;

(d) the application is submitted before expiry of cooling period in case of cancellation or nonrenewal of recognition as specified in sub-regulation (9) of regulation 13 or conviction under provisions of the Act as specified in sub-regulation (11).

(8) Before rejecting any application under sub-regulation (7), the Bureau shall give a notice to the applicant citing the deficiencies therein.

(9) The applicant may furnish his reply with necessary documents and may request for hearing either in person or through a representative authorised by him within fourteen days from the date of receipt of the notice.

(10) The decision of the Bureau with the grounds of rejection shall be communicated in writing to the applicant.

(11) An applicant or a person convicted under the provisions of the Act shall not be eligible to apply for a cooling period of one year from the date of such conviction.

(12) The application fee shall not be refundable in case of rejection of the application under subregulation (7).

9. Grant of recognition. -

(1) The Bureau shall grant recognition,-

(a) on satisfaction that the Centre has the necessary infrastructure and competence as per the relevant standard for carrying out assaying and hallmarking of the precious metal articles; and

(b) on payment of recognition fee and assessment fee as specified in Schedule-II.

(2) The certificate of recognition shall be issued in Form-VI annexed to these regulation, giving scope of recognition.

(3) The assaying and hallmarking centre may request for change in scope of recognition.

(4) On receipt of an application under sub-regulation (3), the Bureau may examine the request, carry out assessment, as required for considering the change of scope.

(5) The recognition granted under this regulation shall be valid for a period of three years.

(6) The details of assaying and hallmarking centres recognised by the Bureau shall be hosted on its website.

(7) The recognition of assaying and hallmarking centre shall be subject to the terms and conditions as provided in regulation 10.

10. Terms and conditions of recognized of assaying and hallmarking centre. - (1) The assaying and hallmarking centre shall be responsible for determination of purity and fineness of the precious metal articles hallmarked by it.

(2) The assaying and hallmarking centre shall inform the Bureau whenever there is any change in the management, premises or name and address of the Centre.

(3) The assaying and hallmarking centre shall inform the Bureau of any changes in machinery, equipment, assaying personnel, non-availability of certified reference materials or breakdown of any major equipment affecting sampling, assaying and hallmarking activities.

(4) The assaying and hallmarking centre shall accept the jewellery for hallmarking as per the relevant Standard only from a certified jeweller with request for hallmarking in writing giving details as specified in sub-regulation (7) of regulation 5.

(5) In case of any amendment or revision of the standard, the Bureau shall give notice of one month to the assaying and hallmarking centre before its implementation.

(6) The testing and marking shall be carried out as per relevant Indian Standard using calibrated equipment and certified reference material.

(7) The design of hallmark and particulars to be marked with it shall be as specified in the Schedule-III.

(8) The assaying and hallmarking centre shall maintain records as specified by the Bureau including the records of request for hallmarking received from jewellers.

(9) The assaying and hallmarking centre shall take hallmarking fee from jewellers as specified in Schedule-IV and issue bill or invoice for each consignment as per request for hallmarking received, to the jeweller.

(10) The assaying and hallmarking centre shall deposit the hallmarking fee to the Bureau as specified in Schedule-IV.

(11) The assaying and hallmarking centre shall furnish the details regarding the precious metal articles hallmarked as well as rejected, in number and weight on monthly and annual basis.

(12) The assaying and hallmarking centre shall co-operate with the authorised representative of the Bureau for the purpose of conducting assessment, in production of relevant records and for inspection and testing of the precious metal articles available with the the centre.

(13) The Bureau may alter any terms and conditions of the recognition during the period of the validity of the recognition by giving thirty day's notice to the assaying and hallmarking centre.

(14) The violation of terms and conditions may lead to the cancellation of the recognition.

11. Renewal of recognition. - (1) The assaying and hallmarking centre shall submit

application for renewal of recognition in Form-VII annexed to these regulations, along with fee as specified in Schedule-II, and self-certified copy of the following documents, namely:-

- (a) proof of the establishment of the firm or company;
 - (b) proof of the address of the premises;
 - (c) proof of identity of the signatory;
 - (d) map indicating location of the premises from some nearest prominent landmark;
 - (e) quality manual; and
 - (f) affidavit cum undertaking in Form-V annexed to these regulations.
- (2) The application for renewal shall be submitted ninety days before the date of expiry of the validity of recognition
- (3) The Bureau, on receipt of an application for renewal under sub-regulation (1), may renew the recognition for a period of three years after satisfying that the centre continues to have the necessary infrastructure and competence as per the relevant Standard for carrying out assaying and hallmarking of the precious metal articles and also considering the past records of the applicant.
- (4) In case the assaying and hallmarking centre does not apply for renewal before the expiry of validity along with requisite fee, it shall cease to have right to use hallmark after the validity of recognition is over and in such case, the renewal of recognition may be deferred for a period of ninety days from the date of validity by the Bureau.
- (5) If, during the period of deferment of recognition, an application is made along with late fee of rupees five thousand, the requisite fee, specified in Schedule-II and required documents, the recognition may be renewed by the Bureau:
- Provided that the assaying and hallmarking centre shall not have the right to use hallmark till recognition is renewed by the Bureau.
- (6) In case renewal application along with requisite fee and documents is not received within such period of deferment, the recognition shall stand expired.
- (7) The decision on renewal of the recognition may be kept under deferment up to six months from the date of its validity, if recognition is under suspension, or being considered for suspension, cancellation or non-renewal.
- (8) The decision of deferment shall be informed to the centre in writing with instructions to stop hallmarking of precious metal articles.

12. Suspension of recognition. - (1) If, at any time, there is difficulty in assaying and hallmarking of the precious metal articles or in the event of test equipment getting out of order or due to natural calamities or a lock out declared by the management; or directed by a competent court or statutory authority, the assaying and hallmarking centre shall inform it to the Bureau immediately.

(2) As soon as the events which caused the suspension have been removed, the intimation of revocation of the suspension of operations shall be sent to the Bureau immediately.

(3) If, at any time, the Bureau has sufficient evidence that the assaying and hallmarking may not be conforming to the Indian Standard, the assaying and hallmarking centre shall be directed to suspend its operation and such evidence may not be limited to, but may include one or more of the following, namely:-

- (i) non-conformity of hallmarked precious metal articles established after in-house or independent testing;
 - (ii) non-implementation of the provision of the relevant Standard;
 - (iii) non-availability of testing personnel and absence of alternate arrangements;
 - (iv) relocation of assaying and hallmarking centre;
 - (v) prolonged closure of assaying and hallmarking centre for more than three months;
 - (vi) assaying and hallmarking on precious metal articles not included in the scope of the recognition;
 - (vii) non-submission of monthly or yearly statement regarding hallmarking charges collected from certified jewellers;
 - (viii) non-payment of marking fee to the Bureau within stipulated period.
- (4) The assaying and hallmarking centre whose recognition has been placed under suspension shall inform the Bureau about the compliance of its order.
- (5) On receipt of corrective actions, a special assessment, if required, may be carried out to verify the effectiveness of the corrective actions.
- (6) The Bureau shall revoke the suspension after satisfying itself that the assaying and hallmarking centre -
- (a) has taken necessary actions;
 - (b) deposited assessment fee as specified in Schedule -II; and
 - (c) has provided sufficient evidence to establish competence of the centre as per the relevant standard for assaying and hallmarking of precious metal articles.
13. Cancellation or non-renewal of recognition.- (1) The Bureau may cancel or not renew the recognition of an assaying and hallmarking centre for any of the following reason, namely:-
- (a) any declaration made by the assaying and hallmarking centre is found to be false or incorrect;
 - (b) assaying and hallmarking centre has violated any of the terms and conditions of the recognition;
 - (c) articles marked with hallmark do not comply with the relevant Indian Standard;
 - (d) assaying and hallmarking centre has failed to co-operate with the authorised representative of the Bureau during his visit for assessment or for investigating a complaint;
 - (e) assaying and hallmarking centre is found indulging in any unfair practice such as hallmarking precious metal articles for non-certified jewellers, marking of articles with incomplete hallmark or hallmarking articles without carrying out testing or hallmarked precious metal article is found to have shortage of purity of more than forty parts per thousand;
 - (f) assaying and hallmarking centre is found to be marking precious metal articles with hallmark during period of suspension;
 - (g) assaying and hallmarking centre is under suspension for a period of one year;
 - (h) assaying and hallmarking centre has not taken required corrective actions within stipulated time or in spite of taking corrective actions there is recurrence of similar discrepancies.

- (2) Before cancelling or non-renewal of the recognition, the Bureau shall give notice to the assaying and hallmarking centre of its intention to cancel or not to renew the recognition citing the reasons.
- (3) In case the notice is issued for cancellation due to reasons provided in clauses (d),(e) or (f) of sub-regulation (1) the centre shall be instructed to stop hallmarking of precious metal articles.
- (4) On receipt of notice under sub-regulation (2), the assaying and hallmarking centre may submit an explanation to the Bureau within fourteen days from the date of receipt of the notice.
- (5) The Bureau shall consider the explanation and give a personal hearing to the assaying and hallmarking centre or its authorised representative, if sought and the Bureau may consider the request for compounding, if made by the assaying and hallmarking centre as per the provisions of the Act.
- (6) In the case of compounding of the offence, the recognition shall not be processed for cancellation.
- (7) If no explanation is submitted, the Bureau may cancel the recognition on the expiry of period of the notice.
- (8) Where a recognition has been cancelled or not renewed, the assaying and hallmarking centre shall stop marking of precious metal articles with hallmark forthwith.
- (9) In case of cancellation or non-renewal due to reasons provided in clauses (e) or (f) of subregulation (1) the Bureau shall not accept application for grant of recognition before a cooling period of one year from the date of passing of such order.
- (10) When recognition has been suspended, cancelled, not renewed or expired, the Bureau shall host the particulars of the recognition so suspended, cancelled, not renewed or expired on its website.
- (11) The assaying and hallmarking centre shall return the original recognition document to the Bureau in the event of its surrender, non-renewal or cancellation.
- (12) In the event of cancellation, non-renewal or assaying and hallmarking centre opting to surrender the recognition, the centre shall forthwith destroy all publicity material such as handbills, pamphlets and letterheads, through which the assaying and hallmarking centre claims recognition from the Bureau.

Chapter- III

Grant, Operation, Renewal and Cancellation of Licence for Refinery or Mint

14. Application for licence to use hallmark. - (1) Any manufacturer engaged in refining by aqua- regia or electrolytic process or minting of precious metals, as the case may be, shall apply for a grant of licence under these regulations.

(2) The application under sub-regulation (1) shall be made in Form-VIII annexed to these regulations along with fee specified in Schedule-V.

(3) The application shall be accompanied by self-certified copy of the following documents, namely:-

- (a) proof of the establishment of the firm or company;
- (b) proof of the address of the premises;
- (c) proof of identity of the signatory;
- (d) map indicating location of the premises from some nearest prominent landmark;
- (e) micro or small scale industry certificate, if applicable;
- (f) process flow chart of refining or minting, as applicable
- (g) design and weight of the bullion or coin, as applicable

- (h) list of manufacturing machinery in Form-IX annexed to these regulations;
 - (i) list of test equipment with valid calibration in Form-X annexed to these regulations;
 - (j) accreditation of the laboratory of refinery or mint by National Accreditation Board for Testing and Calibration Laboratories (NABL) or London Bullion Market Association (LBMA);
 - (k) plant layout;
 - (l) list of technical personnel;
 - (m) list of certified reference material; and
 - (n) test report of in-house testing.
- (4) The application form shall be signed by the applicant or by any other person authorised in this regard.
- (5) The application shall be rejected, if it is not accompanied by requisite fee.
- (6) The application shall be acknowledged after its receipt and recorded after scrutiny, if found in order.
- (7) The Bureau may call for any supplementary information or documentary evidence from the applicant in support of or to substantiate any statement made by him in his application.
- (8) The Bureau may reject an application, if,-
- (a) the application is found to be incomplete or without specified documents or does not fulfill the specified requirements.
 - (b) at any time during processing of application it is found that the applicant is indulging in any malpractice amounting to misuse of hallmark for which it is liable to be prosecuted under the Act;
 - (c) the applicant does not have the necessary infrastructure and competence as per the relevant Standard and for compliance to the provisions of scheme of testing and inspection;
 - (d) the refined precious metal does not conform to relevant Standard;
 - (e) the application is submitted before expiry of cooling period in case of cancellation or non-renewal of licence as specified in sub-regulation (9) of regulation 19 or conviction under provisions of the Act as specified in sub-regulation (12).
- (9) Before rejecting an application, the Bureau shall give notice to the applicant citing the deficiencies therein.
- (10) The applicant may furnish his reply with necessary documents and may request for hearing, either in person or through a representative authorised by him on his behalf within fourteen days from the receipt of the notice.
- (11) The decision of the Bureau with the grounds of rejection shall be communicated in writing to the applicant.
- (12) An applicant or a person convicted under the provisions of the Act shall not be eligible to apply for a cooling period of one year from the date of such conviction.
- (13) The application fee shall not be refundable in case of rejection of application under subregulation (8).
15. Grant of licence.- (1) The Bureau shall grant licence,-
- (a) on satisfaction of the Bureau that the applicant has the necessary infrastructure and

competence for manufacturing and testing of refined precious metal as per the relevant Indian Standard;

(b) if the refined precious metal conform to the relevant Indian standard;

(c) on payment of marking fee as specified in Schedule-V.

(2) The applicant shall co-operate with the authorised representative of the Bureau to inspect the premises relating to office, manufacturing, testing, storage and to draw and test sample(s) for the purpose of verification under sub-regulation (1).

(3) The licence shall be granted in Form-XI annexed to these regulations.

(4) The licensee may request for change in scope of licence with fee as per Schedule - V.

(5) The Bureau may examine the request, carry out inspection, as required for considering the

change of scope and the revised scope shall be issued in Form XII annexed to these regulations.

(6) The licence granted under this regulation shall be valid for a period of one year.

(7) The details of all licences issued by the Bureau shall be hosted on its website.

(8) The licence shall be subject to terms and conditions as provided in regulation 16.

16. Terms and conditions of licence.- (1) The licensee shall be responsible for fineness of the hallmarked refined precious metal manufactured by it.

(2) The licensee shall inform the Bureau whenever there is any change in the management, premises or name and address of the firm.

(3) The licensee shall inform the Bureau of any changes in machinery, equipment, assaying personnel, non-availability of certified reference materials or breakdown of any major equipment affecting sampling, assaying and hallmarking activities.

(4) The licensee shall test the refined precious metal as per the scheme of testing and inspection as specified by the Bureau and accepted by the licensee.

(5) The licensee shall hallmark refined precious metal that conforms to the relevant Standard.

(6) The design of hallmark and particulars to be marked with it shall be as specified in the Schedule-III.

(7) In case of any amendment or revision of the standard or the scheme of testing and inspection, the Bureau shall give notice of one month to the licensee before its implementation.

(8) The licensee shall maintain records as specified by the Bureau from time to time.

(9) The licensee shall furnish information regarding quantity manufactured, marked, sold, available in stock along with details of the consignees to the Bureau.

(10) The licensee shall co-operate with the authorised representative of the Bureau for inspection and testing, in production of relevant records and drawl of samples.

(11) The licensee shall be liable to pay compensation for any shortage in fineness as per rules.

(12) The Bureau may alter any terms and conditions of the licence during the period of the validity of the licence by giving thirty days' notice to the licensee.

(13) The violation of the above terms and conditions may lead to the cancellation of the licence.

17. Renewal of licence. - (1) The licensee shall submit application for renewal of licence in Form-XIII annexed to these regulations accompanied by fee as specified in Schedule-V.

(2) The application for renewal shall be made before sixty days from the date of expiry of the licence.

(3) The Bureau may, on receipt of application from a licensee, renew the licence for a maximum period of two years in Form-XIV annexed to these regulations.

(4) The licence shall be renewed only after satisfaction of the Bureau that the licensee continues to have the necessary infrastructure and competence for manufacturing and testing of the refined precious metal as per the relevant standard and the scheme of testing and inspection and also considering the past records.

(5) In the case the licensee does not apply for renewal before the expiry of validity of licence or deposit requisite fee or provide required details, it shall cease to have right to use hallmark after

the validity of licence is over and in such case, the renewal of licence may be deferred for a period of ninety days from the date of validity by the Bureau.

(6) If, during the period of deferment of licence, an application is made along with late fee of rupees five thousand, requisite fee specified in Schedule-V and required documents, the licence may be renewed by the Bureau:

Provided that the licensee shall not have the right to use hallmark till licence is renewed by the Bureau.

(7) In case renewal application along with requisite fee and documents is not received within the period of deferment, the licence shall stand expired.

(8) The decision on renewal of the licence may be kept under deferment up to six months, if licence is under suspension, or being considered for suspension, cancellation or non-renewal.

(9) The decision of deferment shall be informed to the licensee in writing with instructions to stop marking and sale of the refined precious metal with hallmark.

(10) The licensee shall confirm to the Bureau about compliance of its order.

18. Suspension of licence. - (1) If, at any time, there is difficulty in maintaining the conformity of the refined precious metal to the Standard or the testing equipment goes out of order or due to natural calamities or a lock out declared by the management; or, closure of operations directed by

a competent court or statutory authority, the marking of the refined precious metal shall be stopped by the licensee under intimation to the Bureau.

(2) The marking may be resumed as soon as the defects are removed and information of such resumption of the marking shall be sent to the Bureau immediately.

(3) If, at any time, there is sufficient evidence that the refined precious metal carrying the hallmark may not be conforming to the relevant Standard, the Bureau may suspend the licence and shall direct to stop marking refined precious metal with hallmark and stop sale of hallmarked refined precious metal and such evidence may not be limited to, but may include one or more of the following, namely:-

(i) non-conformity of the refined precious metal established after in-house or independent testing;

- (ii) non-implementation of the provision(s) of the scheme of testing and inspection;
- (iii) non-availability of testing personnel and absence of alternate arrangements;
- (iv) significant modification(s) in the process without prior evaluation and approval of the Bureau;
- (v) relocation of manufacturing unit;
- (vi) prolonged closure of manufacturing unit for more than three months;
- (vii) marking non-conforming refined precious metal;
- (viii) marking on refined precious metal of variety not included in the licence;
- (ix) non-compliance of any instruction issued by the Bureau.

(4) The licensee whose licence has been placed under suspension shall confirm to the Bureau about compliance of its order.

(5) The licensee shall inform the corrective actions taken to the Bureau and on receipt of corrective actions, a special inspection, if required, may be carried out to verify the corrective actions.

(6) The Bureau shall allow revocation of suspension after satisfying itself that the licensee-

- (a) has taken necessary actions;
- (b) deposited inspection fee as specified in Schedule-V;
- (c) has provided sufficient evidence to establish competence for manufacturing and testing of refined precious metal as per relevant standard;
- (d) has provided sufficient evidence to establish conformity of the refined precious metal to the relevant standard;

19. Cancellation or non-renewal of licence. – (1) The Bureau may cancel or not renew a licence for any of the following reason, namely:-

- (a) any declaration made by the licensee is found to be false or incorrect;
- (b) the licensee has violated any of the terms and conditions of the licence;
- (c) the refined precious metal marked with hallmark does not comply with the standard;
- (d) the licensee has failed to cooperate with the authorised representative of the Bureau during his visit for inspection or for investigating a complaint;
- (e) the licensee is found to be using hallmark during period of suspension;
- (f) the licensee is found marking hallmark on refined precious metal of variety not covered in the licence;
- (g) the licence is under suspension for a period of one year;
- (h) the licensee has not taken required corrective actions within stipulated time or in spite of taking corrective actions there is recurrence of similar discrepancies.

(2) Before cancelling or not renewing a licence, the Bureau shall give notice to the licensee of its intention to cancel or not renew the licence citing the reasons.

(3) In case the notice is issued for cancellation or non-renewal due to reasons provided in clauses (e) or (f) of sub-regulation (1) the licensee shall be instructed to stop marking refined precious metal with the hallmark and stop sale of hallmarked refined precious metal.

(4) On the receipt of notice under sub-regulation (2), the licensee may submit an explanation to the Bureau within fourteen days from the date of receipt of the notice and the licensee may

further request for considering his case for compounding as per provisions of section 33 of the Act.

(5) The Bureau shall consider the explanation submitted and give a personal hearing to the licensee or its authorised representative, if sought and the Bureau may consider the request for compounding, if made by the licensee as per the provisions of the Act.

(6) In the case of compounding of offence, the licence shall not be processed for cancellation.

(7) If no explanation is submitted, the Bureau may cancel the licence on the expiry of period of the notice.

(8) Where a licence is cancelled or not renewed, the licensee shall stop the marking and sale of refined precious metal with hallmark notwithstanding the pendency of any appeal under section 34 of the Act.

(9) In case of cancellation or non-renewal due to reasons provided in clauses (e) or (f) of subregulation (1) the Bureau shall not accept application for grant of licence before a cooling period of one year from the date of passing of such order.

(10) When a licence is kept under suspension or cancelled or not renewed or expired, the Bureau shall host the particulars of such licence on its website.

(11) The licensee shall return the original licence document to the Bureau in the event of its surrender, non-renewal or cancellation.

(12) In the event of cancellation, non-renewal or the licensee opting to surrender the licence, the licensee shall forthwith destroy all publicity material such as handbills, pamphlets, and letterheads through which he claims to be a licensee of the Bureau

.. The Bureau of Indian Standards (Hallmarking) Regulations, 2018

**MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
(Department of Consumer Affairs)**

NOTIFICATION

New Delhi, the 14th June , 2018

S.O 2421(E). – In exercise of the powers conferred by sub-section (1) of section 14 of the Bureau of Indian Standards Act, 2016 (11 of 2016), the Central Government, after consulting the Bureau of Indian Standards, hereby notifies the following precious metal articles to be marked with Hallmark for the purposes of the said sub-section, namely:-

- 1. Gold jewellery and gold artefacts**
- 2. Silver jewellery and silver artefacts**

**.....Notification on precious metal articles to be marked with hallmark, notified by
Department of Consumer Affairs**

BIS (Advisory Committees-Amendment) Regulations, 2023

- A. Finance Advisory Committee (i) Special Secretary or Additional Secretary and Financial Adviser, Ministry of Consumer Affairs, Food and Public Distribution - Chairman; (ii) Director General of the Bureau; (iii) Additional Secretary or Joint Secretary, Department of Consumer Affairs in the Ministry of Consumer Affairs, Food and Public Distribution; (iv) one representative of the National Institute of Financial Management, Faridabad; (v) one representative of the Office of Comptroller General of Accounts; (vi) Chief Financial Officer of Bureau of Energy Efficiency; (vii) any other member, as nominated by the Chairman; (viii) Deputy Director General (Finance) of the Bureau - Member-Secretary
- B. **Conformity Assessment Advisory Committee** (i) **Director General of the Bureau - Chairman**; (ii) **one representative not below the rank of Joint Secretary or equivalent from each of the following-** (a) Department dealing with Trade Policy (World Trade Organisation or Technical Barriers to Trade) in the Ministry of Commerce and Industry; (b) Standardisation, Testing and Quality Certification; (c) Food Safety and Standards Authority of India; (d) Director General, Services Export Promotion Council; (e) Department of Consumer Affairs in the Ministry of Consumer Affairs, Food and Public Distribution; (f) Ministry of Electronics & Information Technology. (iii) **one representative from Industry, Trade and their Associations**; (iv) **one representative from any recognised consumer organisation**; (v) **any other member as nominated by the Chairman**; (vi) **Deputy Director General (Certification) of the Bureau - Member-Secretary.**
- C. **Standards Advisory Committee** (i) **Director General of the Bureau - Chairman**; (ii) **one representative not below the rank of Joint Secretary or equivalent from each of the following-** (a) Ministry of Commerce and Industry; (b) Ministry of Environment, Forest and Climate Change; (c) Ministry of New and Renewable Energy; (d) Ministry of Housing and Urban Affairs; (e) Service Sector Organisation (Tourism or Education or Railways or Transport); (f) other Standard Development Organisations (Directorate of Standardisation, Ministry of Defence or Automotive Research Association of India or Indian Road Congress or Research Designs and Standards Organisation, Ministry of Railways) ; (g) Bureau of Energy Efficiency; (h) Quality Council of India; (i) Institute of repute in the field of academics; (j) Department of Consumer Affairs in the Ministry of Consumer Affairs, Food and Public Distribution; (iii) **one representative from Industry, Trade and their Associations**; (iv) **one representative from any recognised consumer organisation**; (v) **any other member as nominated by the Chairman**; (vi) **Deputy Director General (Standardisation) of the Bureau - Member-Secretary**
- D. **Testing and Calibration Advisory Committee** (i) **Director General of the Bureau - Chairman**; (ii) **one representative not below the rank of Joint Secretary or equivalent from each of the following -** (a) National Physical Laboratory; (b) Central Food Technological Research Institute (CFTRI), Mysore; (c) Laboratory of any one of the Indian Institute of Technology; (d) National Institute of Solar Energy, Gurgaon; (e) Indian Toxicology Research Centre, Lucknow; (f) Director General of Quality Assurance; (g) National Chemical Laboratory; (h) Department of Consumer

Affairs in the Ministry of Consumer Affairs, Food and Public Distribution; (i) National Accreditation Board for Testing and Calibration Laboratories (NABL); (j) Department of Commerce (DoC) (k) Department for Promotion of Industry and Internal Trade (DPIIT); (l) Department of Science and Technology (DST); (m) Department of Higher Education (DHE); (n) Ministry of Micro, Small & Medium Enterprises; (o) Ministry of Textiles; (p) Department of Heavy Industries (DHI); (q) Department of Scientific and Industrial Research (DSIR); (r) Defence Research and Development Organisation (DRDO); (s) Directorate General of Foreign Trade (DGFT); (t) Export Inspection Council (EIC); (u) Central Institute of Plastic Engineering and Technology (CIPET); (v) Food Safety and Standards Authority of India (FSSAI). (iii) one representative from a private lab of national or international repute; (iv) any other member as nominated by the Chairman;

- D. (v) Deputy Director General (Laboratories) of the Bureau - Member-Secretary E. Consumer Affairs Advisory Committee (i) Director General of the Bureau - Chairman; (ii) Additional Secretary or Joint Secretary, Department of Consumer Affairs in the Ministry of Consumer Affairs, Food and Public Distribution; (iii) Secretaries or Principal Secretaries of the Department having administrative control over Consumer Affairs of any three States or Union territories on rotational basis; (iv) three representatives from recognised consumer organisations; (v) one representative from Federation of Indian Chambers of Commerce and Industry; (vi) one representative from Confederation of Indian Industry; (vii) any other member as nominated by Chairman; (viii) Deputy Director General of the Bureau dealing with the Consumer Affairs activity - Member-Secretary. F. Research Advisory Committee (i) Director General of the Bureau - Chairman; (ii) One representative not below the rank of Joint Secretary or equivalent from each of the following: (a) Department of Science & Technology (DST), New Delhi; (b) Central Electronics Engineering Research Institute, Pilani; (c) Indian Institute of Technology, Roorkee; (d) Indian Agricultural Research Institute, New Delhi; (e) Central Food Technological Research Institute, Mysore; (f) Automotive Research Association of India, Pune; (g) The Energy Resource Institute (TERI), New Delhi; (h) Tata Institute of Fundamental Research, Mumbai; (i) Indraprastha Institute of Information Technology, Delhi; (j) Council of Scientific and Industrial Research (CSIR), New Delhi; (k) Indian Institute of Management, Ahmedabad or Indian Institute of Management, Lucknow; (iii) Any other member as nominated by Chairman; (iv) Scientist F or Scientist G (Deputy Director General - Policy, Research & Training) of the Bureau - Member Secretary. G. Training Advisory Committee (i) Director General of the Bureau - Chairman; (ii) One representative not below the rank of Joint Secretary or equivalent from each of the following: (a) Lal Bahadur Shastri National Academy of Administration (LBSNAA), Mussoorie; (b) The Institute of Secretariat Training & Management (ISTM), New Delhi; (c) National Skill Development Corporation (NSDC), New Delhi; (d) National Power Training Institute (NPTI), Ministry of Power, New Delhi; (e) National Academy of Customs, Indirect Taxes & Narcotics, Faridabad; (f) Indian Institute

of Management (IIM), Lucknow (Noida Centre) (g) Management Development Institute (MDI), Gurgaon (h) Indira Gandhi National Open University (IGNOU), New Delhi; (i) Administrative Staff College of India (ASCI), Hyderabad; (iii) Any other member as nominated by Chairman; (iv) Scientist F or Scientist G (Deputy Director General - Policy, Research & Training) of the Bureau - Member Secretary.

NOTIFICATION

New Delhi, the 13th September, 2023

No. BS/11/04/2018. –

In exercise of the powers conferred by section 39 read with section 5 of the Bureau of Indian Standards Act, 2016 (11 of 2016), the Bureau, with the previous approval of the Central Government hereby makes the following regulations further to amend the Bureau of Indian Standards (Advisory Committees) Regulations, 2018, namely: – 1. (1) These regulations may be called the Bureau of Indian Standards (Advisory Committees- Amendment) Regulations, 2023. (2) They shall come into force on the date of their publication in the Official Gazette. 2. In the Bureau of Indian Standards (Advisory Committees) Regulations, 2018 (hereinafter referred to as the said regulations) in regulation 7, - A) in sub-regulation (1), - I) in clause (ii), after sub-clause (i), the following sub-clauses shall be inserted, namely:– (j) Department of Commerce; (k) Department for Promotion of Industry and Internal Trade ; (l) Department of Science and Technology; (m) Department of Higher Education; (n) Ministry of Micro, Small and Medium Enterprises; (o) Ministry of Textiles; (p) Department of Heavy Industries ; (q) Department of Scientific and Industrial Research; (r) Defence Research and Development Organisation; (s) Directorate General of Foreign Trade; (t) Export Inspection Council ; (u) Central Institute of Plastic Engineering and Technology; (v) Food Safety and Standards Authority of India.” II) for clause (iii), the following clause shall be substituted, namely:– “(iii) one representative each from a laboratory in India or abroad which is carrying on testing or associated activities in the field of mechanical, electrical, chemical or food and recognized by the Bureau.” (B) in sub-regulation (2), after clause (iv), the following sub-clauses shall be inserted, namely: – “(iva) co-ordinating establishment of testing facilities by others for products which are not covered under the Conformity Assessment Schemes; (ivb) assessment and monitoring of the adequacy of testing facilities within the country.” 3. In the said regulations, in regulation 12, in sub-regulation (1), in clause (ii), for sub-clause (j), the following clause shall be substituted, namely:– “(j) Department of Scientific and Industrial Research, New Delhi;”