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Bureau of Indian Standards (Conformity Assessment) Amendment Regulations, 2026: A Paradigm Shift in Quality Assurance and Regulatory Compliance

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The regulatory framework governing conformity assessment in India has undergone a significant transformation with the promulgation of the Bureau of Indian Standards (Conformity Assessment) Amendment Regulations, 2026. Published in the Gazette of India Extraordinary on February 25, 2026, these amendments represent a comprehensive overhaul of the existing framework established under the Bureau of Indian Standards (Conformity Assessment) Regulations, 2018. The amendments, enacted under the authority of Sections 12, 13, and 39 of the Bureau of Indian Standards Act, 2016, with the prior approval of the Central Government, introduce substantial modifications to the processes governing the grant, continuation, renewal, suspension, and cancellation of licences and certificates of conformity. This article provides a detailed examination of the complex changes introduced by these regulations, analysing their implications for manufacturers, importers, and the broader ecosystem of quality assurance in India.

The foundational premise of the amendments lies in the introduction of mandatory annual fee payment mechanisms that fundamentally alter the financial compliance architecture for licence and certificate holders. Regulation 5 has been amended to mandate that fees shall be paid on an annual basis in advance, both at the time of the grant of licence and for the continuation of operation of a valid licence. This requirement is further reinforced in Regulation 6, which explicitly stipulates that the licensee shall pay annual dues within specified timelines along with the production statement. The emphasis on advance payment represents a strategic shift from the previous regulatory approach, ensuring that the Bureau of Indian Standards maintains a steady revenue stream while simultaneously creating a more disciplined compliance culture among market participants. This financial restructuring carries substantive implications, because failure to comply with these payment obligations triggers a cascading series of consequences that can ultimately result in the cancellation of the authorization to use the Standard Mark.

The amendments to Regulation 8 introduce a sophisticated framework for the continuation and renewal of licences that balances regulatory enforcement with procedural fairness. The regulation has been rechristened as “Continuation of operation of licence and its renewal,” signalling the dual focus on maintaining valid authorizations and enabling their extension. The procedural requirements mandate that applications for renewal must be submitted to the Bureau before the expiry of the validity of the licence, as specified in the applicable Scheme set out in Schedule-II. The temporal dimension of compliance is further elaborated through the introduction of a graduated response mechanism for non-payment of annual fees. If the annual fee together with the production statement is not received by the due date, the operation of the licence stands suspended for a period of ninety days from the due date, or as provided in the applicable Scheme. This suspension mechanism incorporates a remedial window, providing that if the annual fee with production statement is received within the ninety-day period along with a late fee of five thousand rupees, the suspension shall stand revoked. However, the regulation maintains regulatory rigour by stipulating that if the annual fee with production statement is not received within the period of suspension, the licence shall be cancelled. The regulation also contains a nuanced exception clause, providing that notwithstanding anything contained in the relevant sub-regulations, if the annual fee with production statement has been paid within ninety days of the suspension period, the suspension of the licence shall not be revoked if suspension on account of non-conformity of samples or other non-compliances was already imposed before the due date for annual payment of fee or is required to be imposed. In such cases, suspension may be revoked by the Bureau only if the discrepancies which led to the continuation of the suspension are removed. This layered approach demonstrates a sophisticated regulatory design that distinguishes between financial delinquency and substantive non-compliance with quality standards.

The procedural safeguards surrounding suspension and cancellation have been carefully calibrated in the amendments to Regulations 10 and 11. Regulation 10 now requires that before the suspension of a licence under sub-regulation (2), a notice of twenty-one days shall be given to the licensee, except for cases where the licence is suspended due to non-payment of annual fees, for which the provisions of Regulation 8 shall apply. Similarly, Regulation 11 empowers the Bureau to cancel the licence by order in writing after giving a notice of not less than twenty-one days if the licensee fails to comply with any of the conditions of licence or if the licence has been issued in error, with the same exception for non-payment cases where sub-regulation (11) of Regulation 8 shall apply. These provisions reflect a careful balance between administrative efficiency and the principles of natural justice, ensuring that licensees are afforded adequate opportunity to respond to proposed adverse actions except in cases of clear financial default where the regulatory framework provides specific alternative procedures.

The amendments establish a parallel and substantially identical framework for certificates of conformity through modifications to Regulations 13 through 19. Regulation 13 now mandates that fees shall be paid on an annual basis in advance at the time of grant of certificate of conformity and for its continuation thereafter, while Regulation 14 requires certificate holders to pay annual

dues within timelines along with the production statement. Regulation 16, which has been renamed to “Continuation of operation of certificate of conformity and its renewal,” mirrors the licence renewal framework, requiring applications before expiry and annual advance fee payments. The same ninety-day suspension mechanism with the five thousand rupee late fee option applies to certificates of conformity, ensuring consistency across the regulatory spectrum. Regulations 18 and 19 incorporate the same twenty-one day notice requirements for suspension and cancellation, with identical exceptions for non-payment cases, thereby establishing a harmonized enforcement architecture.

The amendments to Schedule-II introduce significant structural changes to the conformity assessment schemes themselves. New introductory paragraphs have been inserted to provide a comprehensive taxonomy of the ten different conformity assessment schemes available under the regulations. These schemes are categorized based on their application to products, systems, services, and processes, with seven schemes specifically designed for conformity assessment of products and the remaining three addressing systems, services, and processes. The schemes are further classified based on the presence or absence of assessment at the manufacturing site, with Scheme-I, Scheme-IV, Scheme-V, Scheme-IX, and Scheme-X requiring on-site assessment, while Scheme-II and Scheme-VII operate without any assessment at site. This classification system provides clarity to stakeholders regarding the appropriate pathway for obtaining conformity certification based on their specific circumstances and the nature of their products or services.

The most substantial transformation within Schedule-II relates to the complete revision of Scheme-II, which now establishes a comprehensive framework for registration based on self-declaration of conformity. This scheme, which operates on the basis of Type C conformity assessment as per Schedule-I, enables the grant of licence to use or apply the Standard Mark through registration based on self-declaration of conformity for goods and articles that conform to relevant Indian Standards or essential requirements notified for the product or both. The scheme applies to products manufactured in manufacturing premises, with an inclusive definition of manufacturing premises that covers premises owned by the applicant and other premises where part of the manufacturing activity takes place, including premises where the final manufacturing activity is carried out and where the Standard Mark is to be used or applied.

The procedural architecture of the revised Scheme-II is elaborate and multi-layered, commencing with a selection phase wherein the manufacturer must identify the applicable Indian Standard or essential requirements, ascertain manufacturing and testing capabilities, confirm availability, and determine model numbers and brand names to be used. The manufacturer must then determine from the intended scope of the licence and sampling guidelines the minimum number of samples required for testing, and may apply for grant of licence through registration based on self-declaration of conformity separately for each product in Form-I annexed to the Scheme. Separate applications are required for each brand name unless the brand name owner is the same. The manufacturer must ensure that the product has been tested for conformity against all requirements and submit an undertaking as per Form-II along with test reports from third party laboratories. Additionally, the manufacturer must submit an affidavit as per Form-III A, B, or C depending on whether the applicant is a manufacturer with a branch office in India, a brand owner or nominated entity, or an Indian manufacturer respectively. Foreign manufacturers must nominate an Indian representative as per Form-IV.

The fee structure under Scheme-II has been designed to be accessible while ensuring adequate resource generation for regulatory oversight. The application fee, annual licence fee, and renewal application fee are set at one thousand rupees each. The processing fee payable on a yearly basis in advance is twenty-five thousand rupees per application for grant of licence and continuation of operation. Applications with more than one test report attract an additional charge of twenty thousand rupees for each additional test report. Significantly, the regulations provide substantial concessions for micro, small, and medium enterprises, with eighty percent concession for micro enterprises or start-ups, fifty percent for small enterprises, and twenty percent for medium enterprises from the date of publication until May 31, 2029, and twenty percent concession for all MSMEs from June 1, 2029 onwards. These concessions are defined by reference to the Micro, Small and Medium Enterprises Development Act, 2006, and the Income-tax Act, 1961 for start-ups.

The validity provisions under Scheme-II establish an initial grant period of up to five years, renewable for a further period of up to five years. The requisite fee must be paid in advance on an annual basis before the due date, with the same consequences for non-payment as apply under the general regulations. The scheme incorporates comprehensive surveillance mechanisms, enabling the Bureau to draw samples from market or in-transit for testing by third party laboratories, and to obtain feedback from organized buyers where market sampling is not possible. Complaints regarding quality must be acknowledged and investigated, with closure actions completed within ninety days excluding testing time.

The amendments to the remaining schemes in Schedule-II incorporate similar structural changes while maintaining their distinct characteristics. Scheme-I, Scheme-IV, Scheme-VII, Scheme-IX, and Scheme-X all now incorporate the five-year initial validity and renewal framework, the annual advance fee payment requirement, and the twenty-one day notice provisions for suspension with exceptions for non-payment cases. Scheme-VII maintains its distinct fee structure of fifty thousand rupees annually for large scale industries with twenty percent concession for MSMEs. Scheme-IX provides for re-certification rather than renewal, while Scheme-X maintains a straightforward renewal mechanism. Each scheme incorporates specific provisions appropriate to its assessment methodology and target stakeholders.

The Bureau of Indian Standards (Conformity Assessment) Amendment Regulations, 2026 represent a comprehensive and sophisticated effort to modernize India's conformity assessment framework. The amendments introduce greater financial discipline through mandatory annual advance payments, enhanced procedural clarity through structured timelines and notice requirements, and expanded access to certification through the revamped self-declaration scheme. The graduated enforcement mechanism, incorporating suspension periods and late fee options while maintaining ultimate cancellation authority, strikes a balance between encouraging compliance and ensuring regulatory effectiveness. The substantial concessions for micro, small, and medium enterprises demonstrate a commitment to inclusive regulatory design that supports India's broader industrial policy objectives. As these regulations come into force, stakeholders across the manufacturing and import sectors will need to carefully review their compliance procedures to ensure alignment with the new requirements, while the Bureau of Indian Standards will bear the responsibility of implementing these changes in a manner that upholds the integrity of India's standardization framework and protects consumer interests. The success of these amendments will ultimately be measured by their ability to enable market access for quality-compliant products while maintaining strong safeguards against substandard goods, thereby contributing to the overarching goal of consumer protection and industrial excellence.

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Frequently Asked Questions

What is the key change under the BIS (Conformity Assessment) Amendment Regulations, 2026?

The amendments introduce a mandatory annual fee-payment mechanism, payable in advance, both at the grant of a licence and for its continuation (Regulations 5 and 6). Failure to comply triggers a cascading series of consequences that can ultimately lead to cancellation of the authorisation to use the Standard Mark.

When did the BIS (Conformity Assessment) Amendment Regulations, 2026 come into force?

They were published in the Gazette of India Extraordinary on 25 February 2026 and were enacted under Sections 12, 13 and 39 of the Bureau of Indian Standards Act, 2016, with the prior approval of the Central Government.

What do the 2026 amendments change about licence continuation and renewal?

Regulation 8, renamed 'Continuation of operation of licence and its renewal', restructures the framework for keeping a licence valid and extending it, balancing regulatory enforcement with procedural fairness through defined application and timeline requirements.

Related Practice Areas

BIS and Standards Compliance