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Ensuring Quality and Safety: The Role of the Bureau of Indian Standards

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Introduction to BIS

The Bureau of Indian Standards (BIS) is the National Standards Body of India, established under the Bureau of Indian Standards Act of 2016 (11 of 2016). BIS's mission is to develop standards, provide quality certification, and implement hallmarking for goods.

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Structure and Governance

BIS is a corporate body composed of 25 members representing Central and State governments, Members of Parliament, industry, scientific and research institutions, consumer organizations, and professional bodies. The Union Minister of Consumer Affairs, Food and Public Distribution serves as its President, while the Minister of State for Consumer Affairs, Food and Public Distribution acts as the Vice-President.

Importance of Standards

By defining these standards, BIS ensures the availability of safe and reliable products, reduces health risks for consumers, promotes exports, and regulates the diversity of goods through effective standardization, certification, and testing.

Role in Setting Standards

The Bureau is responsible for setting Indian Standards, which are guidelines for various goods, services, and processes. They can create, update, and promote these standards as needed. Additionally, the Bureau can adopt standards from other institutions, both in India and abroad, ensuring that these are integrated into the Indian Standards framework. They also have the authority to recognize or accredit other organizations involved in standardization efforts, whether within the country or internationally. To support the development of these standards, the Bureau encourages and conducts research that is essential for creating effective guidelines.

Technical Committees and Standard-Setting

When creating these standards, the Bureau may form technical committees made up of experts in relevant fields. This allows for a comprehensive and informed approach to standard-setting. Once an Indian Standard is established, it is formally announced and remains in effect until the Bureau decides to withdraw it. Importantly, the Bureau retains copyright over the Indian Standards and any other publications it produces, meaning they control how these documents are used and distributed. Overall, the Bureau plays a crucial role in ensuring that standards are well-defined and maintained for various aspects of industry and services in India.

Certification Requirements

No individual may import, distribute, sell, store, or display goods specified under the BIS Act without certification from the Bureau of Indian Standards (BIS / Bureau). Only certified entities are permitted to sell or advertise goods marked with the Standard Mark, including Hallmarks. Certified jewellers must ensure that any items sold bear the Standard Mark or Hallmark and comply with relevant standards. Additionally, the Central Government can declare certain goods or services necessary for public interest, health, safety, and national security, requiring them to meet specified standards and bear the Standard Mark under a license or certificate.

Prohibitions and Compliance

No person shall manufacture, import, distribute, sell, hire, lease, store, or exhibit for sale any goods, articles, processes, systems, or services specified under these provisions without a Standard Mark, unless they possess a valid license. Furthermore, even with a license, no one may apply a Standard Mark unless the goods, articles, processes, systems, or services conform to the relevant standards or essential requirements. Additionally, individuals are prohibited from making public claims—through advertisements, promotional materials, price lists, or similar means—that their goods, articles, processes, systems, or services conform to an Indian standard, or from making such declarations on the goods or articles, without holding a valid certificate of conformity or license from the Bureau or any other authority approved by the Central Government. Lastly, no one may use, apply, or attempt to use or apply a Standard Mark, or any imitation thereof, in the manufacture, distribution, sale, hire, lease, or exhibition of any goods, articles, processes, systems, or services, or in relation to any patent, trademark, or design, except under a valid license from the Bureau.

Responsibilities of License Holders

The license holder is always responsible for ensuring that goods, processes, and services with the Standard Mark meet required standards. Distributors and sellers must ensure that the items they sell come from certified bodies or license holders. Before selling or displaying these items, sellers must check that they have the correct labels and markings as specified by the Bureau.

Quality Monitoring

Certified bodies and license holders must provide the Bureau with information and samples as needed for quality monitoring. The Bureau has the authority to inspect goods and take samples to ensure they comply with standards and that the Standard Mark is used correctly. They can also share their findings publicly.

Actions Against Non-Conformance

If the Bureau finds that any goods with the Standard Mark do not meet standards, they can direct the license holder to stop selling those items and recall any that have already been sold. If non-conforming goods are sold, the Bureau may require the license holder to repair, replace, or compensate consumers for any issues caused by these goods.

Establishing Technical Committees

The BIS Rules of 2016 empower the Bureau to create technical committees, called Division Councils, to develop Indian Standards for various goods, articles, processes, systems, and services. These councils will focus on formulating standards based on expert input. Division Councils can establish multiple Sectional Committees as needed for this purpose. Each Sectional Committee will include Bureau officials and representatives from various sectors, such as consumers, government bodies, industry, testing organizations, scientists, and technologists. An officer from the Bureau will serve as the Member-Secretary for each committee. Additionally, a Sectional Committee can set up sub-committees, panels, or working groups to further divide its work. These groups will have clearly defined roles and will coordinate their activities to support the committee’s objectives.

Certification Scheme

The BIS certification scheme is primarily voluntary. However, for certain products, compliance with Indian Standards is mandatory as determined by the Central Government. This requirement is based on considerations such as public interest, the protection of human, animal, or plant health, environmental safety, the prevention of unfair trade practices, and national security.

For these products, the Central Government mandates the use of the Standard Mark under a License or Certificate of Conformity (CoC) issued by BIS through Quality Control Orders (QCOs).

Quality Control Orders

The Central Government, in consultation with the Bureau of Indian Standards (BIS), issues Quality Control Orders (QCOs) that mandate certification for certain products, requiring them to conform to relevant Indian Standards and bear the Standard Mark under a License or Certificate of Conformity (CoC) from BIS. QCOs are published after stakeholder consultations, establishing clear start dates. After this date, no one may manufacture, import, or sell these products without the necessary certification. The same regulations apply to imported goods, which must also meet Indian Standards, and foreign manufacturers must obtain a License or CoC from BIS. Violations of QCO provisions can lead to penalties, while exemptions for specific products are determined by the relevant Line Ministry. The latest versions of Indian Standards apply to QCOs, and amendments will follow timelines set by BIS. Individuals seeking clarification on QCO applicability can reach out to the relevant authorities, and BIS plays a crucial role in issuing QCOs, providing technical input, and enforcing compliance, with information available on the BIS website.

Conclusion

The Bureau of Indian Standards is instrumental in fostering a safe and reliable marketplace in India through its comprehensive standardization efforts. By promoting quality and safety, BIS not only protects consumers but also enhances the country’s industrial competitiveness. As regulations evolve, BIS remains committed to upholding high standards and facilitating compliance, ensuring that Indian products meet both domestic and international benchmarks for excellence.

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