

Form – IIIA

Model Affidavit Cum Undertaking (To be furnished by Manufacturer's Branch Office/Liaison Office located In India, Before Grant of Licence)

(On Rs 100/- non-judicial stamp paper, duly notarized)

I,, aged about years, by occupation CEO/MD/Proprietor/authorised employee (designation.....) of M/s (the liaison office / subsidiary firm/ branch office, in India), having its Registered Office/Head Office at (address in India), do hereby solemnly affirm and declare as under:

1. That M/s.....(the liaison office /subsidiary firm/ branch office, in India) has been set up in India by M/s(foreign applicant) having its factory/manufacturing address at (address of foreign applicant) for the purpose of grant of licence applied under Application ID/ licence No.:_____ and compliance to sub-section (6) and (7) of section 18 and section 31 of the Act.
2. That I have been duly authorised to give this affidavit cum undertaking (authorisation appended herewith).
3. That M/s (the liaison office / subsidiary firm/ branch office, in India) does hereby undertake to meet all liabilities and obligations with respect to the BIS Act, 2016, and the rules and regulations framed there under, on behalf of M/s (foreign applicant) for the purpose of all licence granted / to be granted by BIS. M/s (the liaison office / subsidiary firm/branch office, in India) further undertakes that this undertaking shall not be revoked during the operation of any of the licence without prior consent of the Bureau.
4. That without prejudice to the generality of the foregoing declaration, M/s (the liaison office / subsidiary firm/ branch office, in India) accepts and undertakes to be responsible for compliance of all terms and conditions of the licence and to be liable to meet all outstanding financial dues to BIS that may arise at any stage in connection with any of the licence.
5. That M/s (the liaison office / subsidiary firm/branch office, in India) accepts and undertakes full liability in case of violation of any provision of the Act, rules and regulations framed thereunder, arising out of any act or omission on the part of the

foreign applicant.

6. That I declare that M/s (the liaison office / subsidiary firm/ branch office, in India) has no commercial or business relationship with any laboratory affecting the interest of BIS and that it will not engage in any activity that is in conflict with the interest of BIS in general and i fully understand that any violation of this may lead to cancellation of the licences, apart from other actions as per law.
7. That M/s (the liaison office / subsidiary firm/ branch office, in India) as well as the undersigned i.e. deponent, undertake to fully indemnify BIS from any loss arising out of any of the licences granted / to be granted, jointly and severally, on behalf of the foreign applicant.

In witness whereof, I do hereby sign and execute this affidavit cum undertaking on this theday of, 20.....

Signed, sealed and delivered by the above named.

(DEPONENT)

(Signature with seal and stamp)

(Signature, stamp and seal of Notary Public)

Form – III B

Model affidavit cum undertaking (to be furnished by the brand owner; or proprietor/registered user /subsidiary firm/ liaison office of brand/trademark; or any other entity located in India, before grant of licence)

(On rupees one hundred only non-judicial stamp paper, duly notartised)

I,, aged about years, by occupation CEO/MD/Proprietor/authorised employee (designation.....) of M/s (the nominated Company/Firm/Proprietorship in India), having its Registered Office/Head Office at (address in India), do hereby solemnly affirm and declare as under:

1. That M/s..... (foreign applicant) having its factory/manufacturing address at (address of foreign applicant) has nominated M/s (the nominated Company/Firm/Proprietorship in India) as its authorised representative located in India for the purpose of grant of licence of its article.....(details of article along with brand and Indian Standard concerned) as applied under Application ID/ licence No.: _____ and compliance to sub-section (6) and (7) of section 18 and section 31 of the Act.
2. That I have been duly authorised to give this affidavit cum undertaking (authorisation appended herewith).
3. **That I hereby declare that M/s (the nominated Company/Firm/Proprietorship in India) is the Brand Owner/Proprietor/Registered User/subsidiary office/ liaison office of the Brand/Trademark appearing on said article.

OR

**That I hereby declare that M/s (the nominated Company/Firm/Proprietorship in India) is the major importer/distributor/ entity having marketing tie-up with the brand owner and /or the manufacturer of the said article.

4. That M/s (the nominated Company/Firm/Proprietorship in India) does hereby unconditionally accept the nomination and give consent to be responsible for compliance to the provisions of the Act, rules and regulations framed thereunder, on behalf of M/s (foreign applicant) for the purpose of Registration of the

said article(s). M/s (the nominated Company/Firm/Proprietorship in India) further undertakes that this consent shall not be revoked during the operation of the licence without prior consent of the Bureau.

5. That without prejudice to the generality of the foregoing declaration, M/s (the nominated Company/Firm/Proprietorship in India) accepts and undertakes to be responsible for compliance of all terms and conditions of the Registration and to be liable to meet all outstanding financial dues to BIS that may arise at any stage in connection with the licence.
6. That M/s (the nominated Company/Firm/Proprietorship in India) accepts and undertakes full liability in case of violation of any provision of the Act, rules and regulations framed thereunder, arising out of any act or omission on the part of the foreign applicant.
7. That I declare that M/s (the nominated Company/Firm/Proprietorship in India) has no commercial or business relationship with any laboratory affecting the interest of BIS and that it will not engage in any activity that is in conflict with the interest of BIS in. I fully understand that any violation of this may lead to cancellation of the licence, apart from other actions as per law.
8. That M/s (the nominated Company/Firm/Proprietorship in India) as well as the undersigned i.e. deponent, undertake to fully indemnify BIS from any loss arising out of the licence to be granted, jointly and severally, on behalf of the foreign applicant.

In witness whereof, I do hereby sign and execute this affidavit cum undertaking on this theday of, 20.....

Signed, sealed and delivered by the above named

(DEPONENT)

(Signature with seal and stamp)

(Signature, stamp and seal of Notary Public)

** Strike off whichever is not applicable.

Form – III C

Model affidavit cum undertaking

(To be furnished by Manufacturer located in India, before Grant of Licence)

(On Rs 100/- non-judicial stamp paper, duly notarised)

I,, aged about years, by occupation CEO/MD/Proprietor/authorized employee (designation.....) of M/s, having its Registered Office/Head Office at (complete address) and manufacturing unit located at(complete address), do hereby solemnly affirm and declare as under:

1. That I have been duly authorised to give this affidavit cum undertaking (authorisation appended herewith) for Application ID/licence No.: _____.
2. That M/s does hereby undertake to meet all liabilities and obligations with respect to the sub-section (6) and (7) of section 18 and section 31 of Act, for the purpose of all licence granted / to be granted by BIS. M/s further undertakes that this undertaking shall not be revoked during the operation of any of the Registrations without prior consent of the Bureau.
3. That without prejudice to the generality of the foregoing declaration, M/s..... accepts and undertakes to be responsible for compliance of all terms and conditions of the registrations and to be liable to meet all outstanding financial dues to BIS that may arise at any stage in connection with any of the licence.
4. That M/s accepts and undertakes full liability in case of violation of any provision of the Act, rules and regulations framed thereunder, arising out of any act or omission.
5. That I declare that M/s has no commercial or business relationship with any laboratory affecting the interest of BIS and that it will not engage in any activity that is in conflict with the interest of BIS in general and the Compulsory Registration Scheme in particular. I fully understand that any violation of this may lead to cancellation

of the licences, apart from other actions as per law.

6. That M/s as well as the undersigned i.e. deponent, undertake to fully indemnify BIS from any loss arising out of any of the licences granted / to be granted, jointly and severally.

In witness whereof, I do hereby sign and execute this affidavit cum undertaking on this theday of, 20.....

Signed, sealed and delivered by the above named.

(DEPONENT)

(Signature with seal and stamp)

(Signature, stamp and seal of Notary Public)

For reference only