

## Registration Department

**Our Ref: Registration/Guidelines RG: 01**

**Date: 20 08 2019**

**Sub: Guidelines for Grant of Licence (GoL) as per the conformity assessment Scheme – II of Schedule – II of BIS (Conformity Assessment) Regulations, 2018**

These guidelines stipulate the procedure for Grant of Licence (GoL). These are to be read in conjunction with BIS Act 2016, BIS Rules 2018 and BIS (Conformity Assessment) Regulations 2018. In particular, the provision for Grant of Licence (GoL) are addressed in Regulation 4 & 5 and Scheme - II of Schedule - II of BIS (Conformity Assessment) Regulations, 2018. Any situation, in general, not covered in these guidelines is to be dealt as per the provisions of Act, Rules and Regulations. All the forms mentioned herein correspond to those given in Scheme - II of Schedule - II of BIS (Conformity Assessment) Regulations, 2018.

<b><i>General Principles for GoL</i></b>	1.	The Bureau grants a licence to manufacturer based on self-declaration of conformity of product through the application submitted by them indicating that they have necessary infrastructure for manufacturing quality products with requisite testing facilities on a continuous basis at their premises, the test results of product from third party lab indicating conformity of the product to the relevant Indian Standard; and the satisfactory outcome of review by BIS.
<b><i>Application</i></b>	2. a)	The application shall be made in the Form-I as specified in BIS (Conformity Assessment) Regulations 2018 - Scheme II (process of submitting application online to the Bureau is available on its website). The applicant shall be required to submit the relevant documents as per the Form-I and indicative check list as Indicative Annexure-I.
	b)	Separate application shall be made for each brand-name(s) unless the brand-name(s) owner is same.
	c)	It is also to note that information on brand name has been given only as information to Bureau of Indian Standards, that Bureau of Indian Standards has no role in permitting/approving of any Brand of Trade Mark, that this shall not in any way be interpreted to mean that Bureau of Indian Standards has permitted/approved the use of the Brand Names and Trade Marks listed above, and that the responsibility is entirely mine/ours. This should be incorporated in the GOL letter.
<b><i>GoL</i></b>	3. a)	The applicant may apply for grant of licence to the Bureau along with the documents mentioned at Sl. No. 2 above and conforming Test Report(s) of the product samples manufactured by the applicant issued by a third party testing laboratory. The Test Report(s) must indicate conformity of components/raw material(s) (as applicable).

	b)	The applicant is required to first register itself on the BIS CRS Website if not already registered. They must provide evidence for the Name and address of the manufacturing unit along with scope of business activity. Then they should submit details of the sample(s) to be tested, generate test request online, select appropriate third party lab and approach the selected lab with the sample. The samples for testing shall be selected based on the grouping guidelines for the product (if any) made available by the notifying Authority/Bureau; and the models/varieties to be covered under the scope of the licence.
<b>Laboratory</b>	c)	Test reports of the following laboratories shall be accepted: i) Laboratories established, maintained or recognized by the Bureau for the product (including Group-2 labs as specified under the Laboratory Recognition Scheme of the Bureau); ii) Government laboratories empanelled by the Bureau; iii) Any other laboratories as decided by the Executive Committee of the Bureau;
<b>Test reports shall be the latest</b>	d)	The test reports of the product shall not be more than 90 days old. The period for counting 90 days shall be from the date of issue of the test reports to the date of receipt of the online application.
<b>Supplementary Test Report</b>	e)	In case of supplementary test report(s) issued for brand addition with reference to original test report which are already received and accepted by BIS, date of issue of supplementary test report shall be considered instead of date of issue of referred original test report. However, the supplementary test report shall be submitted within 90 days of issue.
	f)	Similarly, in case of supplementary test report(s) issued for addition of series model(s) in the same series as per series guidelines issued from notifying ministry with reference to original test report which are already received and accepted by BIS, date of issue of supplementary test report shall be considered instead of date of issued referred original test report. However, the supplementary test report shall be submitted within 90 days of issue.  It is the responsibility of the applicant to ensure that the test reports submitted are complete in all respects and conforming to the relevant Indian Standard.
<b>Test Reports beyond 90 days</b>	g)	Where licence is cancelled due to non-conformity of a single model and an application is received for grant of fresh licence within three months of the decision of cancellation, test reports beyond 90 days along with respective GOL/Inclusion letters can be accepted for the models in the scope of the cancelled licence other than the failed model and its series.  The Competent Authority may relax the requirement of submission of test reports for all models which were already

		received and accepted by BIS during application of the cancelled licence except for the non-conforming model and its series, for which a fresh test report is required to be submitted. In case the non-conforming model is end of life/ discontinued, then fresh test report of lead model from any other series of models or next lead model in same series within the scope of cancelled licence shall be submitted instead. If the applicant wants to continue with the series models of the non-conforming model, complete testing on a suitable model, now the lead model, of the remaining series shall be submitted.
	h)	If the Department/BO is of the opinion that the test report(s) to be considered for Grant of Licence need to be accepted beyond specified time norms due to genuine reasons, concerned DDG is empowered to do so, provided Department/BO provides adequate justification. DDG after due consideration of the facts may take a decision whether to allow acceptance of the test report(s) which are not within the time limits specified above.
<b><i>Conformity of Raw Material/ Critical Components</i></b>	j)	Where ensuring conformity of raw materials/critical components is a mandatory requirement of the product standard being considered for certification or if required by regulator, such conformity shall be established through following:- (I) In case Raw material/critical component is notified under QCO/CRO, raw material/critical components shall have BIS standard mark. (II) In case Raw material/critical component is not notified under QCO/ CRO,  i) Test report from any laboratory as specified at 3 c) above; ii) In case i) above is not possible due to non-availability of Indian Standard or test facility, then test certificate as per IECCE CB/UL/VDE etc. or raw material manufacturers' test certificate. iii) In case i) and ii) above is not possible due to no national /international standards, conformity as reported by lab ('tested within appliance/equipment') can be accepted. Ensuring conformity of raw material/components shall rest with the applicant
<b><i>Processing for GoL</i></b>	5.a)	Process of grant of licence is expected to be completed within 20 working days provided all the documentation and conformity of the product is established satisfactory at first instance.
	b)	In case of any deficiencies observed in the application for Grant of Licence, the same shall be communicated to the

		applicant with a rejection notice of not less than 30 days to resolve that query.
	c)	If the queries are resolved by the applicant within stipulated time, application to be processed for grant of licence.
<b><i>Rejection of application</i></b>	6.a)	The application may be processed for rejection as per the sub-regulation (6) of regulation 4 of BIS (Conformity Assessment) Regulations, 2018. It may include one or more of the situations mentioned below:- i) The applicant has not been clearing the financial dues to the Bureau; ii) The applicant has tampered with documents or have submitted tampered documents in connection with the grant of the licence; iii) The applicant has indulged in unethical practices in the context of grant or operation of the licence; iv) Major deviation is observed in the declarations, or declarations are found to be false; v) Test report submitted is found to be non-conforming; vi) The applicant has failed to submit satisfactory reply/documents with respect to queries raised in rejection notice within stipulated time.
	b)	Before rejection of an application, applicant shall be given a reasonable opportunity of being heard either in person or through its representative in case same has been requested by the applicant. In case the facts or the explanation furnished by the applicant or its representative is not satisfactory, the application shall be rejected. The closing of application shall be communicated to the applicant through portal/email/post.
	c)	The competent authority shall pass speaking orders for decision taken.
<b><i>Product specific guidelines</i></b>	7.	In addition to these guidelines, any product specific guidelines/instructions issued by BIS/notifying authority shall be followed, as applicable.
<b><i>Additional features for foreign manufacturers</i></b>	8.	In case of the foreign manufacturers, additional requirements for nomination of an Indian representative are specified in Form - IIIA, Form - IIIB and Form - IV.
<b><i>Fee</i></b>	9.	Fee as notified in BIS (Conformity Assessment) Regulations, 2018 will be charged.
<b><i>Provision for appeal</i></b>	10.	For the cases, in which manufacturer submits appeal to DG, the brief history of the case shall be prepared.