

BUREAU OF INDIAN STANDARDS
REGISTRATION DEPARTMENT

Our Ref: Registration/G-10

28 April 2022

Sub: Market surveillance of products covered under Compulsory Registration Scheme

1. BIS, the National Standards Body of India, is operating the Compulsory Registration Scheme (CRS) based on Scheme II of Schedule II of BIS (Conformity Assessment) Regulations, 2018. The scheme is based on self-declaration of conformity by the manufacturers. Over the years, the number of licences under this scheme has grown manifold. This in turn, calls for a mechanism to ensure that only products complying with the applicable Standard(s) are available/sold in the market. Market surveillance is a critical aspect of CRS to ascertain the quality of the products available in the market. A robust surveillance mechanism is essential to check the conformance of certified products available in the market to the applicable standard(s). Such surveillance activities also provide input and opportunities for improvement to the manufacturers.
2. BIS is in the process of initiating market surveillance based on the provisions laid down under subparagraph 6 of paragraph 3 of Scheme II of Schedule II BIS (Conformity Assessment) Regulations, 2018.
3. As per conditions of license to use Standard Mark under Regulation 6 of BIS (Conformity Assessment) Regulations, 2018, all licensees are required to submit details of their consignees, distributors, dealers or retailers. In case of multiple brands under a single license, the details may please be submitted brand-wise. Further as per subparagraph 8 of paragraph 5 of Scheme II of Schedule II of BIS (Conformity Assessment) Regulations, 2018, the licensees will have to bear the cost of surveillance.

For effective implementation of surveillance, all licensees have to deposit the surveillance cost.

4. It is intended to take up the market surveillance activity in phases. Emails/letters are being sent to the concerned licensees for providing the requisite information and depositing the fees with BIS.
5. A system is being developed for feeding the consignee details and depositing the fees online. Till the time it is ready, the information may please be provided by email and the fees may be deposited through Demand Draft.
6. It is requested to submit details of the consignees, distributors, dealers or retailers through email in the format as attached and deposit the surveillance cost within 10 days' and 15 days' respectively of receipt of e-mail/letter by Demand Draft drawn in favour of Bureau of Indian Standards payable at Delhi. The format for submission of details of consignees is attached as Annexure II of this circular.
7. In case the requisite information is not submitted and the fees are not deposited within the stipulated time frame, the same will be construed as a violation of conditions of licence to use or apply  Mark and appropriate action including suspension/cancellation of license may be initiated as per the provisions of BIS (Conformity Assessment) Regulations, 2018.
8. The procedure for executing surveillance is attached as Annexure I with this circular.

(Koushik Dutta)
Scientist E & Head

Annexure I

Procedure for carrying out surveillance (for circulation to licensees)

- 1. Collection of Surveillance Cost:** As per the provisions of subparagraph 8 of paragraph 5 of Scheme II of Schedule II of BIS (Conformity Assessment) Regulations, 2018, the cost of samples and testing fee of the sample drawn for surveillance shall be paid by the licensee. For effective and hassle-free implementation of surveillance process, charges associated with surveillance shall be collected in advance (interest free) from the licensee. The licensee shall deposit the surveillance cost for their respective products for the licenses held by them which will be retained by BIS and refunded only at the time of expiry/cancellation of licence.
- 2.** Upon completion of procurement, packaging/transportation and submission of the samples to BIS/BIS recognized labs, actual invoice (s) shall be raised to the licensee/Authorized Indian Representative against which payment shall be made by the manufacturer/Authorized Indian Representative to replenish the cost incurred by BIS alongwith applicable taxes.
- 3. Refund:** In the event of expiry/ cancellation of licence, the licensee/ Authorized Indian Representative may raise a refund request for claiming outstanding balance amount (interest free), if any. BIS shall verify and process the refund claims in due course.
- 4. Revision of Surveillance Cost:** The surveillance cost is subject to revision by BIS from time to time. In the event of revision, all licensees shall comply with the revised surveillance charges.

- 5. Drawl of Sample:** BIS can draw the samples from open market, organized buyers, dispatch points etc. For foreign manufactures, where Authorized Indian Representative/Importer is not the end consumer, the manufacturer shall submit details of their distribution channel(s) including warehouse, wholesalers, retailers etc. where the product will be available.
- 6. Final Stage of Surveillance:** Once the test reports are received and are found non complying with the applicable Standard(s), BIS shall notify the licensee/Authorized Indian Representative and actions shall be initiated in accordance with guidelines to deal with non-conformity(s) of surveillance sample(s)
- 7. Disposal of Samples/Remnants:** Once the surveillance process is complete and the test report is passing, Registration Department shall notify through the portal to the licensee/Authorized Indian Representative to collect the sample from the concerned laboratory to which the sample was sent for testing. The details of the testing lab shall be disclosed to the licensee/Authorized Indian Representative only after the surveillance process is complete. In case the samples are not collected by the licensee/Authorized Indian Representative, laboratories can dispose off the samples as per the disposal policy under the Laboratory Recognition Scheme (LRS) of BIS.

Annexure II

Format for submission of details of consignee(Domestic Manufacturers)									
Name of Consignee	Address	State/UT	Disrict	City	Email-ID	Mobile No	Details of Consignment Unit despatched	Number of Units despatched	Name of Contact Person

Format for submission of details of consignee(Foreign Manufacturers)											
Name of Importer	Address	State/UT	Disrict	City	Email-ID	Mobile No	Details of Consignment Unit despatched	Number of units despatched	Port of Arrival	Expected Date of Arrival in India	Name of Contact Person

Note for foreign manufacturers: In case importer is not the end user, details of wholesalers/distributors/retailers are to be provided