



# QUALITY CONTROL ORDER AND BIS REGISTRATION- THE INDIAN IMPORT STORY

*Presented by S J EXIM Services, New Delhi, IN*

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# List of Upcoming QCOs

1. Visit the BIS Portal to check the list of upcoming QCOs due for implementation
2. Weblink: <https://www.bis.gov.in/upcoming-qcos-notified-and-due-for-implementation/>
3. BIS Registration is granted only to a Manufacturers and not to a Trader or to the Importer in India

# The Scheme:



- BIS Standard when formulated is “Voluntary” in Nature. So, the manufacturer may or may not go for the BIS registration
- Only when the QCO is Notified by DPIIT the corresponding BIS IS standard mentioned in the QCO becomes mandatory & needs to be complied by the manufacturer
- The Indian Importer acts only as the “Authorized Indian Representative” of the manufacturer
- BS registration is granted only to Manufacturers and not the Indian Importer
- Prepare well in advance because the approval for BIS license is a time taking process



# Eligibility:

**The following scenario needs to be checked even before going ahead for the BIS Registration in India:**

- (i)First Check the applicability of the BIS Standard given in the QCO with the products that you plan to import in India**
- (ii)We can assist you in giving the legal opinion on the applicability of the QCO and the respective BIS standard for your products**
- (iii)The corresponding BIS scheme needs to be checked at this stage- CRS/ISI/FMCS**
- (iv)Once this exercise is over then thereafter comes the stage where it is decided if a clarification or an exemption would be sufficient from the concerned authorities or whether by te a full-scale BIS registration needs to be initiated by the manufacturer or the Importer on behalf of the manufacturer**



# Salient Features:

- BIS Registration is governed under the BIS Act, 2016
- The Series and grouping guidelines for same products with multiple variants is governed as per The Conformity Assessment Regulations, 2018 of BIS
- BIS Standards falling under the Compulsory Registration Scheme (CRS) requires mandatory lab testing in a BIS accredited laboratory in India before the grant of approval by BIS- Usual timeline for approval is 2-3 months
- For ISI scheme for Domestic Manufacturer the approval timeline is 60-120 days depending on whether the application is filed under Option-1 or Option-2 of the ISI scheme or the Product Certification scheme
- For the FMCS application the min approval timeline is 9-10 months, in case all the requirements are fulfilled as per the BIS standard and the Scheme of Testing and Inspection and factory audit and inspection
- ***If the Manufacturer & their products are not registered with BIS then they cannot import in India or Sell in India as per Section 17(1) of the BIS Act, 2016***
- ***Selling without BIS registration attracts Penalty up to 5 times the value of the goods under the BIS Act, 2016***

# Benefits of BIS registration:



- Priority in Government Procurements
- Increases Product quality and safety assurances
- Larger marketability of the products in the Indian market
- Some government bids and tenders are open only to BIS registered manufacturers and entities
- When the QCO is Notified then BIS registration is not 'Optional', it becomes a 'Mandate'
- Quality competition amongst Manufacturers and builds consumer confidence



# Exceptions from Quality Control Order and BIS Registration:

- Does not apply on domestically manufactured goods which are intended for Export out of India
- EOUs are exempted
- Micro and Small units are exempted from mandatory QCO and BIS registration as per the MSME Act
- The Directorate General of Foreign Trade (DGFT) has recently taken a significant step in facilitating trade by issuing Notification No. 69/2023 dated March 07, 2024. This notification extends exemption to Advance Authorization license holders from mandatory quality control orders (QCO).

# About SJ EXIM Services:



At SJ EXIM Services, we specialize in providing comprehensive solutions at the intersection of tax law and dispute resolution. With a dedicated team of experts, we navigate the complexities of indirect taxation systems in India & worldwide, ensuring compliance and optimizing Indirect tax strategies for our clients.

- **Our Services:**

- Indirect Tax- Customs, FTP & Allied Acts/Rules
- Arbitration Law advisory and solicitation
- Legal Opinion & Advisory on multiple Import Export matters- BIS/QCO/Exemptions/NOC etc
- Legal Opinion and advisory on applicability of a specific law, act, rule, order, notification
- Customs & IDT Litigations- Across all judicial forums
- Classification Issues & Advisory
- Indirect Tax Legal matters
- All Types of Central Licensing



# Industries Handled for BIS/QCO:

- Robotics segment for Israel HQ entity
- Medical Devices segment UK HQ entity
- Automotive segment for Swedish HQ entity
- Steel & Power Sector clients
- Footwear segment

## Few Prominent Clients:

1. Liberty Shoes, Karnal Haryana
2. Vertiv Energy, Pune
3. L S Cable India Pvt Ltd (LG Group) Bawal Haryana
4. Lloyds Metals & Energy, Mumbai & Nagpur
5. BDO India Consulting LLP, Pune/Mumbai & Gurgaon
6. Zetwerk Business Manufacturing, Bangalore

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