

ANNEX 9
(Clause 4.3)

PROCEDURE FOR DEALING WITH COMPLAINTS AGAINST BIS CERTIFIED PRODUCTS

1. ACTIONS ON RECEIPT OF COMPLAINTS

- 1.1** On receipt of every complaint, RO/BO/PGO receiving it shall take the following actions:
- a) Formally acknowledge the complaint **in seven days**.
 - b) If necessary, ascertain whether the complaint pertains to products carrying Standard Mark or not.
 - c) If necessary, request the complainant for providing additional information related to the complaint which could be useful in arranging investigation/redressal.
 - d) Forward copies of the complaint and the acknowledgement letter to **CAD** along with the complaint data sheet duly filled in (see **Appendix 1**).
- 1.2** All complaints shall be recorded centrally at HQ by **CAD**. The assigned Sl.No. of the complaint shall be conveyed to the concerned ROs/BOs which shall be quoted in all future correspondence related to the complaint.
- 1.3** At ROs/BOs, the PGOs shall maintain a register of all complaints pertaining the complainants under their respective jurisdiction and keep track of their progress towards redressal and send a monthly statement on the same to CAD.

2. INVESTIGATION OF COMPLAINT

- 2.1** Responsibility of arranging investigations at complainant and licensee ends shall be of the BOs under whose respective jurisdiction the complainant and the licensee are situated.
- 2.2** **Complainant end investigation shall be completed by the concerned BO within 7 days of registration of the complaint. Licensee end investigation shall be completed by the concerned BO within 7 days of receipt of complainant end investigation report”.**
- 2.2** Investigation at complainant end should normally precede the investigation at the licensee end. The complainant end BO shall ensure that its report in the prescribed proforma (see **Appendix 2**), reaches the licensee end BO soon after the investigations are completed.
- 2.3** The report of investigations at the licensee’s end shall be submitted in the prescribed proforma even if the same is carried out during the course of visit to the licensee for periodic or other inspections (see **Appendix 3**).
- 2.4** The investigation of complaint shall consists of one or more of the following actions:
- a) Establishment of genuineness of complaint by physical verification of the product under

complaint and noting down the marking details on the product and/or its packing/container.

- b) Ascertaining details of the complained material such as, quantity under complaint and that held in stock, name of manufacturer, source of purchase, date of purchase installation, etc. Copies of relevant documents shall also be obtained from the complainant.
 - c) If the BIS certified material has been accepted after inspection by another Agency such as DGS&D, full particulars about inspections may be obtained. The inspection Agency may be contacted to obtain copies of inspection note and other terms of contract.
 - d) Drawal of sample as per the following procedure:
 - i) Draw sample from the stock under complaint.
 - ii) If stocks are inadequate, sample may be drawn from the same batch/control unit from the source from where the complained material was purchased.
 - iii) In case the complaint batch sample is not available at source of purchase and instead material pertaining to nearby lot/batch/control unit is available, a market samples could be drawn/purchased from the same for review of licensee's performance only.
- Note:** Decision on the particular complaint is not to be taken on the basis of such market sample.
- e) Examination of records of the lot/batch/control unit of the complained material as maintained by the licensee and the over all assessment of its performance during the period of manufacture.

3. ACTIONS AFTER COMPLETION OF INVESTIGATION

3.1 After completion of all necessary investigations, BO, where the complainant/licensee is situated shall take one or more of the following actions:

- a) In case complaint is found to be not genuine, the complainant shall be informed accordingly and case put up for closure to the respective DDGRs.
- b) Redressal may be arranged straight away if the product is not expensive.
- c) In case the complaint is established by way of independent test report of the complaint sample or even by testing/observation during visit to the complainant, steps shall be taken to advise the licensee to arrange redressal of the complainant by way of replacement/repairs depending upon the product under complaint. Depending upon the gravity of the findings in the investigation of a complaint, strict action, both punitive as well as corrective, should be taken against the licensee.
- d) Complainant shall be requested to give a satisfaction letter for the redressal arranged. In case he is not willing to provide the same, a Registered AD letter shall be sent for intimating conformation of redressal and if no response is received within two weeks, complaint shall be processed for closure.
- e) The proposal for closure of complaint shall be put up by the BO under whose jurisdiction

the licensee is situated, in the prescribed proforma (see **Appendix 4**). Copy of complaint closure proforma carrying orders of DDGRs shall be forwarded to SP & CAD.

- f) While deciding upon closure of complaint, DDGRs shall ensure that the corrective actions taken by the licensees for avoiding recurrence of such failures and/or actions taken after stoppage of marking, if imposed in view of the complaint, have been duly verified and reported by the BO.
- g) In case, the matter relating to the complaint has been referred to a Court of Law or to a Consumer Redressal Forum (i.e., has become sub-judice) or has been referred for arbitration, the complaint could be processed for closure.
- h) If a complaint against BIS certified product is found to be genuine cancellation of the licence may be considered depending upon the seriousness of the complaint., in case it is established that any licensee has intentionally produced substandard product. In such cases, cancellation of not only of that particular licence but of all other licences, held by that licensee, should be done in consultation with ADGM/DG.
- i) The final decision/action taken shall be conveyed to the complainant by the BO under whose jurisdiction the complainant is situated.
- j) “Stop Marking” should be invariably imposed on the licensee if the complaint sample fails in testing in the case of complaints by large- scale buyers. If, however, the concerned RO/BO feels that there is sufficient justification for not imposing “Stop Marking”, such justification should be recorded on the closure proforma submitted to DDGRs.
- k) In case of food products under mandatory certification (and for any other identified product where stricter norms are to be applied), ‘Stop marking’ shall be imposed if complaint sample fails in testing in critical requirements.

Note: Copy of Test Report of complaint sample shall not be given to the complainant. In case, it is insisted upon, then only the findings should be conveyed.

3.2 If necessary, ADG may re-open any complaint which has been closed for actions as considered necessary. Efforts shall be made to complete all actions on the complaints within a period of one month of their receipt. Where testing of complaint sample is involved, efforts shall be made by BO who has drawn the sample under complaint to get the same tested on priority and within a maximum period of one month. Sample under complaint can be tested only for the requirements against which it has been reported to be deficient failing. In case the complaint sample takes more than one month of testing, approval of concerned DDGR may be taken in such cases.

SP & CAD shall put up all complaints pending for more than one month to ADG/DG for review and direction every month”.

4. ANONYMOUS/PSEUDONYMOUS COMPLAINTS

4.1 Anonymous/Pseudonymous complaints relating to BIS Certified Products be dealt with by the concerned BOs/Deptt. of ROs and discrete investigations carried out to verify the genuineness of the complaint and if necessary, actions shall be initiated in consultation with the DDG/ADG.

Appendix 1

BUREAU OF INDIAN STANDARDS

(BO/Deptt. of RO/SP & CAD)

COMPLAINT DATA SHEET

(For complaints regarding BIS certified products)

Ref:

Date:

1. Complainant Name and Address
2. Status of Complainant (Refer Code Directory)
3. Type of complaint
4. Complaint Received at On Date (Name of BO/Deptt.)
5. Name of Licensee
complained against
6. CM/L No. & valid upto .
7. Product & IS No.
8. Specific Nature of
Complaint
9. Complaint No. (To be
assigned by SP & CAD)

(Dealing Officer/PGO)

- cc:
- i) SP & CAD
 - ii) Complainant end BO
 - iii) Licensee end BO

Appendix 2

BUREAU OF INDIAN STANDARDS (BO/Mark Deptts. of ROs/SP & CAD)

PROFORMA FOR CLOSURE OF COMPLAINTS ON BIS CERTIFIED PRODUCTS

Ref:

Date:

1. Complaint No. _____

2. Date of Receipt _____

At _____ (BO Deptt.)

3. Name of Complainant

4. Status of Complainant

5. Licensee Complained against

6. CM/L No. & Valid upto

7. Product & IS No.

8. Specific Nature of complaint

9. Quantity of material under
Complaint

10. Findings of Investigations at
end

Complainant's

11. Test results of the complaint sample

12. Whether complaint established
observation at complainant end and/or Independent TR)

(by

13. Findings of Investigations at Licensee's end

14. Licensee's test record of the
batch/lot under complaint

15. Performance during the proceeding one operative

a) Dates of Performance Factory Testing

Inspection	Satis/Unsatis	Pass/Fail
b) Independent Test Reports	Pass/Fail	Factory Sample Pass/Fail Market Samples

- c) Details of other complaints
 - i) Closed
 - ii) Pending

16. Licensee's Overall performance

- 17. Actions taken against licensee such as stoppage of Marking
- 18. Verification of Corrective actions taken by licensee
- 19. Actions taken by the licensee for redressal of complaint
- 20. Whether redressal acknowledged by the complainant

(Dealing Officer)

21. Recommendations

(Director Incharge)

22. Orders of DDG

cc:

- i) SP & CAD
- ii) Complainant End BO
- iii) Other concerned Deptts. such as Enforcement/Legal

Appendix 3

BUREAU OF INDIAN STANDARDS (BO/Marks Deptt. of RO/SP & CAD)

REPORT OF INVESTIGATION OF COMPLAINT AT COMPLAINANT END

Our Ref:

Date:

Subject:

Complaint Against M/s.....
Our Licensee under..... Branch Office

- 0. GENERAL
 - 0.1 Complaint No. & Date
 - 0.2 Name & Address of Complainant:
 - 0.2.1 Name & Address of recipient of material(if different from 0.2)
 - 0.3 Product and IS No.
 - 0.4 Nature of Complaint (highlight specific shortcomings)
 - 0.5 Licence No.
- 1. DETAILS OF INVESTIGATION
 - 1.1 Place & Date of Investigation
 - 1.2 Persons contacted .
 - 1.3 Details of product
 - 1.3.1 Date of purchase
 - 1.3.2 Total Quantity purchased
 - 1.3.3 Quantity under complaint
 - 1.3.4 Source of purchase and details

of

Bill / Cash Memo

1.3.5 Material under complaint
Inspected/Repaired/Handled
by any other agency e.g. DGS&D,
Local Dealer/Mechanics

1.3.6 Is product under Warranty/ :
Any service contract?

1.3.7 Action taken by the licensee
for redressal of the complaint
any, till date)

(if

1.4 Inspection of Material under
complaint

1.4.1 Is material ISI Marked or not?

1.4.2 Whether ISI Mark Genuine or
spurious

1.4.3 Details of Markings on the
product

1.4.4 Condition of packing/storage

1.4.5 Visual Examination

1.4.6 Observations in respect of 0.3

1.4.7 Result of testing at complainant
end, if done (attach sheet if
necessary) .

1.5 Testing

1.5.1 Details of sample drawn for
independent testing, if any

1.5.2 Test request ref. & date

1.5.3 Laboratory to which sent

1.5.4 Date on which despatched to
Lab by self/complainant\

1.6 Any other information
relevant to the complaint

2. CONCLUSIONS

3. RECOMMENDATIONS

Signature
Name of IO
Designation: BO/Deptt. :

Head of BO/Group Leader

cc: i) Licensee end BO
ii) SP & CAD

Appendix 4

BUREAU OF INDIAN STANDARDS

(BO/Marks Deptt. of RO/SP & CAD)

REPORT OF INVESTIGATION OF COMPLAINT AT LICENSEE END

Our Ref:

Date:

Subject: Complaint against M/s.....

0. GENERAL

0.1 Complaint No..& Date

0.2 Name and address of the Complainant

0.2.1 Name and address of the recipient of material
different from 0.2)

(if

0.3 Product and IS No.

0.4 Specific nature of complaint

0.5 Licence No. & valid upto

0.6 Is complainant end report available at the time of
licensee end investigation?

1. DETAILS OF INVESTIGATION

1.1 Date of Investigation

1.2 Persons contacted

1.3 Quantity under complaint

1.4 Whether licensee is aware of the complaint

1.4.1 If yes, actions taken for the same

1.4.2 Licensee's opinion on the complaint

1.4.3 Whether material was sold directly or through dealer,
retailer etc.,

1.4.4 Is product under warranty/ guarantee/service contract?

- 1.5 Licensee's record of the material under complaint
- 1.6 Manner of marking adopted by licensee for the product under complaint
- 1.7 Has the material been taken back by licensee ?
 - 1.7.1 If yes, observations on the same vis-a-vis specific nature of complaint
- 1.8 Is the batch/lot/control unit under complaint held in stock by the licensee?
 - 1.8.1 If yes, give factory testing details (if carried out on same) the
- 1.9 Any other observations
- 2. CONSLUSION
- 3. RECOMMENDATIONS

Signature

Name of IO : Designation :
RO/BO/Deptt.:

Head of BO
Group Leader

cc: i) Complainant-end BO
ii) SP & CAD