

BUREAU OF INDIAN STANDARDS
(CENTRAL MARKS DEPARTMENT - I)

Our Ref: CMD-I/2:12:4

05 November 2020

Subject: Guidelines for Change in Scope of Licence (CSoL) and special situations as per the conformity assessment Scheme – I of Schedule – II of BIS (Conformity Assessment) Regulations, 2018

These guidelines stipulate the procedure for change in scope of licence (CSoL) and any special situations encountered during the operation of licence. These are to be read in conjunction with BIS Act 2016 and Rules, Regulations framed thereunder. In particular, the provisions for CSoL are addressed in Regulation 9 and Paragraph 10 of Scheme - I of Schedule - II of BIS (Conformity Assessment) Regulations, 2018, as amended from time to time. Any situation, in general, not covered in these guidelines are to be dealt as per the provisions of Act, Rules and Regulations by the Regional Offices (ROs) and Branch Offices (BOs). All the forms mentioned herein corresponds to those given in Scheme - I of Schedule - II of BIS (Conformity Assessment) Regulations, 2018.

General Principles for CSoL

1. The scope given in the schedule of licence covers types, sizes, grades, varieties, etc. for which licence is granted by the Bureau to licensee to use standard mark for the product manufactured in accordance with relevant Indian Standard(s) mentioned in the schedule of licence. The change in scope of licence shall be endorsed as per Form - XV.

Application for CSoL

2. An application for change in scope of licence shall be made in the Form - XIV along with requisite fee and relevant documents. An amount of rupees five thousand shall be chargeable per variety or, where grouping guidelines are available, per group of varieties.

Test report (s) not required

3. If there is no change in infrastructure (including manufacturing machinery and test equipments) and change in scope of licence is in same group of sampling guidelines, then test report(s) from third party laboratory is/are not required for processing change in scope of licence.

Explanation - For any minor changes in infrastructure like jigs/fixtures/die/mould etc., third party laboratory test report(s) may not be insisted upon. The declarations regarding such changes shall be obtained in Form - I/Form - II and verified during next surveillance visit. However, in-house test report(s) excluding test(s) of duration more than 30 days shall be taken from the firm. Also, sample drawn during next surveillance visit shall preferably be of new variety added to the scope of licence.

Test report (s) required

4. (a) For cases other than those falling under sr. no. 3 of these guidelines, licensee may choose any of the options available under grant of licence

guidelines and all remaining relevant procedures regarding factory visit/ test report(s)/undertakings/product specific applicability of options etc. to be followed (unless otherwise specified to deviate here in this guideline).

- (b)** Under option 1 licensee shall submit
 - i)** Declarations regarding changes in manufacturing machinery and test equipments, if any, in Form - I and Form - II
 - ii)** Test Report/Test Certificates of additional raw materials/components, as required

(c) Under option 2 licensee shall submit (available for foreign manufacturers also and for products Cement, Packaged Drinking Water (PDW) and Packaged Natural Mineral Water (PNMW) as well)

- i)** Declarations regarding changes in manufacturing machinery and test equipments, if any, in Form - I and Form - II
- ii)** Test Report/Test Certificates of additional raw materials/components, as required
- iii)** Third party laboratory test report(s) as per the provisions in guidelines for grant of licence

(d) The test report(s), manufacturing machinery, test equipments declarations submitted along with application, shall be evaluated and if found satisfactory, change in scope shall be permitted. Endorsement to licensee shall be issued as per Form - XV for change in scope of licence.

(e) For option 2, factory visit is not required to be carried out. However, during the next surveillance inspection, all verifications such as additional requirements, raw materials, process requirements & controls, manufacturing machinery, test facilities, shall be verified and reported. Sample drawn during next surveillance visit shall preferably be from new variety added to the scope of licence.

Deficiencies

- 5. (a)** In case of any deficiencies observed in the application for change in scope of licence, the same shall be communicated to firm for providing information within 21 days. This communication shall include that in case reply is not received within 21 days or reply received is incomplete, the same shall be treated as rejection notice (Template enclosed as Annexure - I).

(b) The decision on rejection shall be taken based on the merit of the case.

(c) In case, the application for change in scope of licence is rejected, the same shall be communicated to the licensee (Template enclosed as Annexure - II).

Reduction in scope of licence

6. (a) If at any time, there is reason to reduce the scope of licence, a notice of one month shall be issued to the licensee (Template enclosed as Annexure - III).
(b) The change in scope of licence shall be informed (Template enclosed as Annexure - IV) and endorsed as per Form - XV.

(c) The competent authority shall pass speaking orders for decision taken.

Special situations

7. For any special situation arising during the operation of licence with regard to change of name, management, ownership etc., appropriate details with requisite documents as required at the time of grant of licence shall be collected. Such changes shall be duly endorsed in the licence. For guidance, following templates are enclosed

- i) Change in name of licensee; Annexure - V
- ii) Change in marking fee; Annexure - VI
- iii) Change in Indian Standard; Annexure - VII

Product specific guidelines

8. In addition to these guidelines, any product specific guidelines issued by CMDs shall be followed, as applicable.

Provision for appeal

9. For cases, in which the manufacturer submits an appeal to the Director General, the brief history of the case shall be communicated by RO/BO to concerned CMD (template as per Annexure - IX of grant of licence guidelines).

Annexure-I

Our Ref: BO/CML-

Dated:

Subject: Providing information towards deficiencies in application - cum - Rejection notice of application for change in scope of licence - reg.

M/s

(Kind Attn. Name of CEO/MD)

Dear Madam(s)/Sir(s),

This has reference to BIS certification mark licence No. granted to you for use of Standard Mark on your product under Scheme-I of Schedule-II of BIS (Conformity Assessment) Regulations, 2018 as per IS valid upto and your application dated received at this office dated for change in scope of licence.

2. We regret to inform you that it has not been found possible to further process your change in scope of licence application because of the following:

(BO to give the reasons in this space, including deficiencies observed in the application)

3. In view of the above, you are requested to submit the requisite information with necessary documents within 21 days. Further, if no reply is received within 21 days or the information received is incomplete, please treat this as rejection notice towards your application for change in scope.

4. In case, you have anything to say in the matter or you would like to be heard either in person or through a representative authorized by you in this behalf, kindly do so within 21 days of issue of this letter-cum-notice. In case, no reply is received from your end within the stipulated period, your application for change in scope shall be rejected without any further notice to you.

Thanking you.

Signature of designated authority
(Name of designated authority)

Annexure-II

Our Ref: BO/CML-

Dated:

Subject : Rejection letter of application for change in scope of licence - reg.
M/s

(Kind Attn. Name of CEO/MD)

Dear Madam(s)/Sir(s),

This has reference to BIS certification mark licence No. granted to you for use of Standard Mark on your product under Scheme-I of Schedule-II of BIS (Conformity Assessment) Regulations, 2018 as per IS valid upto

2. Kindly refer to our rejection notice Ref: dated In this notice you had been informed of our intention to reject your application for change in scope of licence.

3. Your reply to our rejection notice was due by, but we have not received any reply from you till date.

(or)

The reply received with your letter Ref: dated has not been found satisfactory due to following reasons:

(Reference to reply from firm, its examination and consideration. Also, if any personal hearing is held, reference to the same needs to be indicated)

4. It has, therefore, been decided that the case relating to your above mentioned application for change in scope of licence be rejected. You may apply afresh with requisite fee as per our procedure.

5. If you are aggrieved by the above order, you may prefer an appeal to the Director General, Bureau of Indian Standards within ninety days from the date of the order with a fee of two thousand rupees as per provisions of section 34 of the BIS Act 2016 read along with Rule 37 of the BIS Rules 2018.

Thanking you.

Signature of designated authority
(Name of designated authority)

Annexure-III

Our Ref: BO/CML-

Dated:

Subject : Notice for reduction in scope of licence - reg.

M/s

(Kind Attn. Name of CEO/MD)

Dear Madam(s)/Sir(s),

This has reference to BIS certification mark licence No. granted to you for use of Standard Mark on your product under Scheme-I of Schedule-II of BIS (Conformity Assessment) Regulations, 2018 as per IS valid upto

2. It is proposed to reduce the scope of your licence from present scope of to revised scope of due to the following :

(BO to mention reasons)

3. In case, you have anything to say in the matter or you would like to be heard either in person or through a representative authorized by you in this behalf, kindly do so within 30 days of issue of this notice.

Signature of designated authority
(Name of designated authority)

Annexure-IV

Our Ref: BO/CML-

Dated:

Subject : Reduction in scope of licence - reg.

M/s

(Kind Attn. Name of CEO/MD)

Dear Madam(s)/Sir(s),

This has reference to BIS certification mark licence No. granted to you for use of Standard Mark on your product under Scheme-I of Schedule-II of BIS (Conformity Assessment) Regulations, 2018 as per IS valid upto

2. Kindly refer to our reduction in scope of licence notice Ref: dated In this notice you had been informed of our intention to reduce the scope of licence for the following reasons.

(Reference to reply from firm, its examination and consideration. Also, if any personal hearing is held, reference to the same needs to be indicated)

3. The revised endorsement for the reduction in scope of licence is enclosed herewith this letter.

4. If you are aggrieved by the above order, you may prefer an appeal to the Director General, Bureau of Indian Standards within ninety days from the date of the order with a fee of two thousand rupees as per provisions of section 34 of the BIS Act 2016 read along with Rule 37 of the BIS Rules 2018.

Signature of designated authority
(Name of designated authority)

Annexure - V

Attachment to Licence No. CM/L-

CM/L-	Name of the Licensee with the Factory Address	Name of the Product	Indian Standard No.

Endorsement No. Dated

Consequent to the change in the name of the firm, the name of licensee in the schedule of the licence has been changed to with effect from

Other terms and conditions of the licence remain the same.

Signature of designated authority
(Name of designated authority)

Annexure - VI

Attachment to Licence No. CM/L-

CM/L-	Name of the Licensee with the Factory Address	Name of the Product	Indian Standard No.

Endorsement No. Dated

Consequent upon the revision of rate of marking fee in the Schedule of the licence have been revised as under with effect from

₹/- per unit for the first units, ₹/- per unit for the rest of the units with a minimum marking fee of ₹/- during an operative period of one year

Unit:

Other terms and conditions of the Licence remain the same.

Signature of designated authority
(Name of designated authority)

Annexure - VII

Attachment to Licence No. CM/L-

CM/L-	Name of the Licensee with the Factory Address	Name of the Product	Indian Standard No.

Endorsement No. Dated

Consequent upon the revision of IS as IS the Indian Standard number specified in the schedule of the licence stands revised as under with effect from

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Other terms and conditions of the Licence remain the same.

Signature of designated authority
(Name of designated authority)