

**GOVERNMENT OF INDIA
CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
LOK SABHA**

UNSTARRED QUESTION NO:2731
ANSWERED ON:01.08.2017
Misuse of BIS Marking
Mahtab Shri Bhartruhari;Mondal Shri Sunil Kumar

Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION be pleased to state:

- (a) whether the cases of improper use of standard ISI and BIS marks as envisaged in the BIS Act, 1986 have come to the notice of the Government during each of the last three years and the current year;
- (b) if so, the details thereof, State/ UT-wise and the reasons therefor along with the details of the fine or imprisonment or both imposed on persons found involved in such cases during the said period, State/ UT-wise;
- (c) whether the Government has cancelled licence of any of the manufacturers who have violated the BIS Act during the said period, if so, the details thereof, State/UT-wise and if not, the reasons therefor;
- (d) the existing mechanism to monitor the compliance of the BIS Act, 1986 by the manufacturers in the country; and
- (e) the other steps taken/being taken by the Government to curb violation of the BIS Act and its strict compliance by the manufacturers across the country?

Answer

THE MINISTER OF STATE
CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
(SHRI C. R. CHAUDHARY)

(a) & (b) : Yes Madam. Bureau of Indian Standards (BIS) from time to time receives complaints on misuse of BIS Standard Mark.

Based on investigation of complaints regarding misuse of BIS Standards Mark (ISI) mark, raid are conducted. The details of raids carried out in the last three years and the current year (upto 30 June 2017) are given below:

Year Raids conducted

2014-15 70
2015-16 128
2016-17 114
2017-18 27
(upto June'17)

State/UT wise details of cases filed and decided in the different courts of law during the last three years and the current year is enclosed at Annexure-I.

The fines imposed by the Hon'ble Courts in different cases ranges from Rs 10000/- to Rs. 50000/- In two cases, Hon'ble Court has awarded rigorous imprisonment of six months and a fine of Rs. 20000/-. In three cases, besides fine, Hon'ble court has also awarded imprisonment 'Till rising of Court'.

(c) : State-wise data of cancellation of BIS licences is given at Annexure II. The cancellation were due to non-compliance of the terms and conditions of the licence, misuse of Standard Mark and unsatisfactory performance.

(d) : When BIS standard mark is applied to sub-standard products under the licence, BIS takes action, such as, stop marking and cancellation of licence as per BIS (Certification) Regulations, 1988 made under the BIS Act, 1986. In case of misuse of BIS standard mark by non-licensees, search and seizure is done by BIS and subsequent prosecution launched under the BIS Act, 1986.

(e) : In order to curb violation of the BIS Act, 1986 and the Rules and Regulations framed thereunder, BIS organizes Awareness Programmes for industries, consumers and other stakeholders. In addition, publicity through mass media is also undertaken by BIS.
