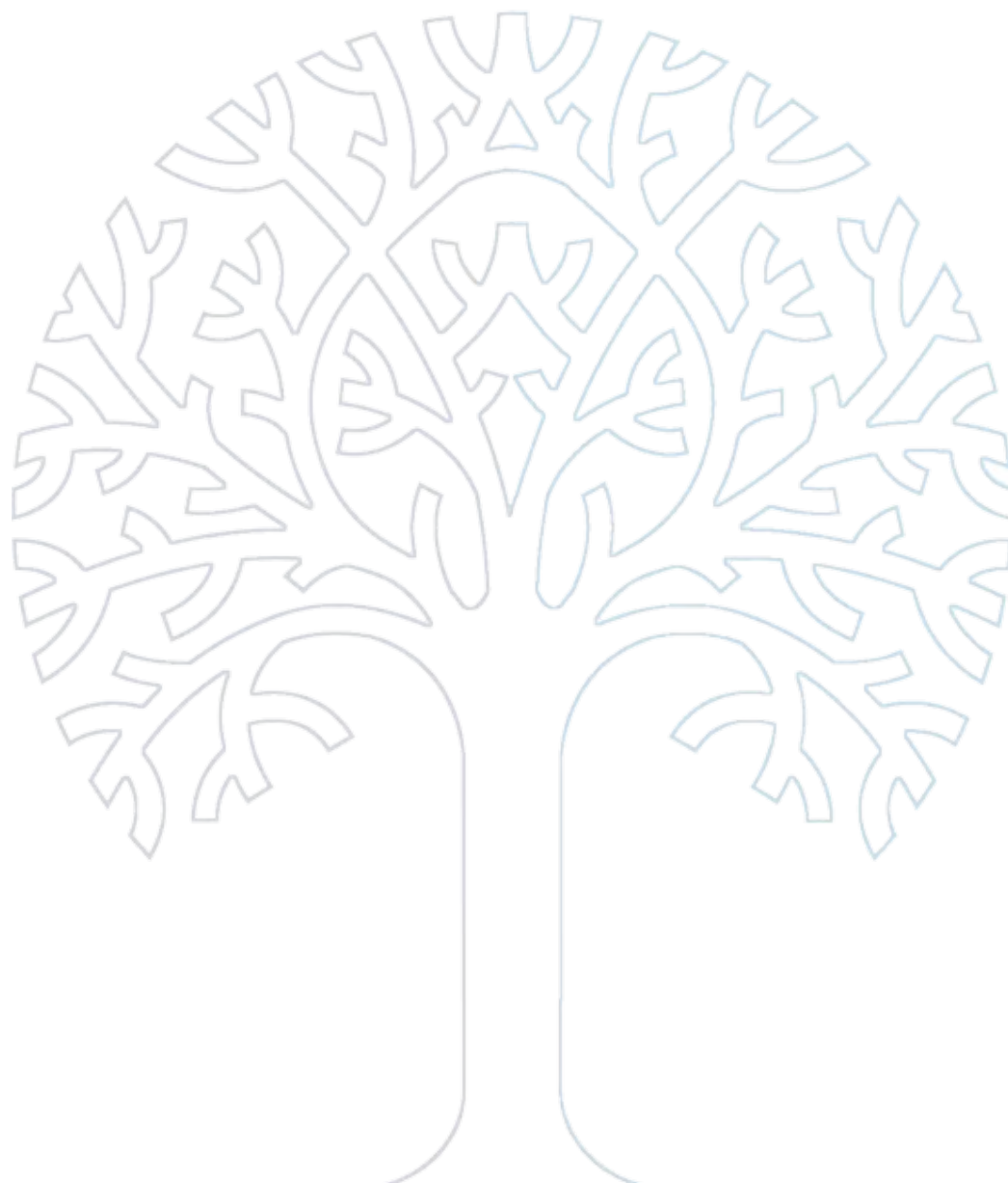




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MARCH 2025 / Issue – 9



BIS amicus

A monthly e-newsletter on developments related
to Bureau of Indian Standards (BIS)

Lakshmikumaran & Sridharan Attorneys

India

Table of Contents

News Nuggets..... 3

Ratio Decidendi..... 11

Article

 A comprehensive analysis of
 the e-commerce guidelines by BIS13

QCO Updates..... 20





News Nuggets

200+ Registrations for the OTR Order

The Ministry of Heavy Industries issued the Machinery and Electrical Equipment Safety (Omnibus Technical Regulation) Order, 2024 ('OTR Order') on 28 August 2024. As the first step of the certification process, the relevant businesses must mandatorily register on the BIS – Manak Portal. As on 6 March 2025, there have been 226 registrations on the portal.

[Source: OTR Registrations – Manak Portal, as available [here](#).]

Copper products QCO – Exemptions for oxygen-free copper products and wrought copper tubes

In light of the Copper Products (Quality Control) Order, 2024, issued by the Department for Promotion of Industry and Internal Trade (DPIIT), Ministry of Commerce and Industry, DPIIT has issued a No Objection Certificate for businesses to import Oxygen-Free Copper Products for electrical applications. The NOC has been issued *vide* a letter dated 3 February 2025, addressed to the Indian Electrical and Electronics Manufacturers' Association (IEEMA). The validity of the NOC is for 3 months, i.e. till April 2025.

With respect to the same QCO, another exemption has been notified with respect to 'Wrought Copper Tubes for Refrigeration and Air-Conditioning Purpose' until 31 March 2025.

[Source: Copper Product (Quality Control) Amendment Order, 2025, as available [here](#).]

Furniture articles QCO issued for beds, tables, desks, chairs, etc.

The Department for Promotion of Industry and Internal Trade (DPIIT), Ministry of Commerce and Industry has issued the Furniture (Quality Control) Order, 2025 dated 13 February 2025. It covers under its ambit 6 different kinds of products and their corresponding Indian Standards including work chairs, chairs and stools, tables and desks, beds, bunk beds, and storage units. The Order shall come into force after expiry of twelve months from date of publication.

[Source: Furniture (Quality Control) Order, 2025, as available [here](#).]

BIS and steel imports: An ongoing complexity

As per reports, various unauthorized factories from China and Southeast Asia are exporting low-quality steel in India with fake BIS certification.

Ajay Srivastava, Founder, GTRI, in this regard said, *'India is facing a growing problem of substandard imports falsely claiming to have Bureau of Indian Standards (BIS) certification. These low-quality products enter the market with fake BIS labels, misleading consumers and bypassing safety and quality regulations.'*

In September 2024, Guangdong Runxin Industrial Investment, a Chinese manufacturer of stainless steel cold-rolled coils and sheets, had also alerted Indian Customs that certain importers and Chinese exporters were misusing their BIS certificates to export non-certified steel grades in lieu of the certain grades for which their company had been certified to export to India.

[Source: Deccan Chronicle news, as available [here](#).]

BIS organizes Inter-Ministerial Meeting on implementation of Indian Standards

While chairing an inter-ministerial meeting in New Delhi, Smt. Nidhi Khare, Secretary of the Department of Consumer Affairs, emphasized on the importance of Indian Standards and the need to expand the scope of Quality Control Orders ('QCOs'). She expressed that such expansion would help India get closer to the goal of '*Atma Nirbhar Bharat*'.

In addition, the status of 628 products that are under consideration at the line ministries for bringing them under QCOs was also reviewed; with a consensus that the timelines for implementation must be expedited.

[Source: PSU Connect news, as available [here](#).]

More stringent standards in pipeline for 1500+ products

As per reports, the exercise to improve product quality, spanning 37 government ministries, is currently under way. It is stated that more than 1,500 products will be brought under stringent quality standards by the end of the current financial year.

[Source: Live Mint news, as available [here](#).]

BIS to formulate standards for online educational courses

To ensure accountability and improved quality, BIS has decided to establish Indian Standards for online educational courses. This is also in view of the rising complaints against the chaotic market of online education that presently lack any norms. Such a step will help

maintain checks and balances while ensuring that the students get better engagement and learning outcomes.

[Source: Live Mint news, as available [here](#).]

Standardization of green hydrogen

In partnership with its British counterpart, i.e. the British Standards Institution (BSI), the Bureau of Indian Standards recently organised a two-day workshop in New Delhi. The workshop primarily focused on standardization of green hydrogen production and regulations. Abbey Dorian, Energy Sector Lead at BSI, said, *“India and the UK have a shared ambition to become leaders in green hydrogen, supporting the goal of a net zero future”*.

[Source: Economic Times news, as available [here](#).]

Centralised Digital Verification System for QCOs

Global Trade Research Initiative (GTRI) recently issued a statement, contending that India is facing an emerging issue of sub-standard imports that falsely claim to have BIS certification.

In light of the same, GTRI recommended that the Indian government should set up a centralised digital verification system before issuing new QCOs. This will not only help in preventing fraud but also ensuring the integrity of certification processes

[Source: Business Standard news, as available [here](#).]

Till BIS norms are set, Karnataka may impose ban on tattoo inks

The tattoo ink industry in India is largely imported and heavily unregulated. There are no Indian Standards by BIS that cater to this issue of toxic tattoo inks containing several heavy metals. In view of this, the state food safety and drugs administration commissioner of Karnataka is set to write to the Centre seeking a ban on such inks unless standards are formulated, and the industry is regulated.

[Source: Times of India news, as available [here](#).]

Premium footwear brands may soon resume importing

The Indian government has initiated the process for BIS certification of overseas factories manufacturing footwear. This move was undertaken after 18 months for two key reasons – A slump in the sales as well as pressure from USA, highlighting India's import barriers on US brands. As such, several global brands may soon resume importing premium footwear into the country.

[Source: Economic Times news, as available [here](#).]

'Labour Safety at Workplace' programme by BIS

The Bureau of Indian Standards recently organised a programme on 'Labour Safety at workplace' at Tamil Nadu Open University. G. Bhavani, Senior Director and Head, BIS, Chennai affirmed that the Indian Standards have been formulated to ensure that each worker has protective equipment and workplace safety systems, and that they are not just meant for large industries and factories. Such

standards would also benefit research labs, construction companies, government organisations, educational institutions, small businesses, and self-employed professionals working in hazardous conditions.

[Source: The Hindu news, as available [here](#).]

Technical session on Media & Entertainment Standards hosted by BIS and ICMEI

The International Chamber of Media & Entertainment industry ('ICMEI') and the Bureau of Indian Standards came together to host a technical session at a Full-Day Summit on Media & Entertainment Standards. The session was organized with the aim of exploring the significance, objectives, and challenges of standardization in this industry.

Dr. Sandeep Marwah, Chair for the Media and Entertainment Services Sectional Committee in BIS, emphasized the essential role of well-defined Media standards in promoting growth and good quality across the industry.

[Source: The Mena FN News as available [here](#).]

IIT Roorkee launches 'Standards Clubs' in collaboration with BIS

With a vision to promote quality, safety, and standardisation in engineering and technology education, IIT Roorkee has launched Standards Clubs across 14 departments. The initiative has been undertaken in partnership with the Bureau of Indian Standards, and involves departments such as Civil Engineering, Hydrology, Electronics & Communication Engineering, Mechanical and Industrial Engineering, Metallurgical & Materials Engineering, etc.

[Source: Indian Express news, as available [here](#).]

Grant of All India/ Global First Licence

In February 2025, BIS granted All India/ Global First Licence to 6 companies for their respective products and corresponding Indian Standards. The details of the same are discussed at length later in this newsletter.

[Source: What's New – BIS, as available [here](#)]



Ratio Decidendi

Quality Control Order is not applicable on imports dispatched from the exporting country before date of enforcement of the QCO

The Appellant, in this matter, imported Prime Stainless-Steel Hot Rolled Coils Grade-201. The goods were confiscated under Section 111(d) of the Customs Act as they were imported without the mandatory BIS certification required under the Stainless Steel Products (Quality Control Order), 2016 which came into effect from 7 February 2017. However, the Appellant argued that the QCO was not applicable to the goods imported as the date of shipment was prior to the date the order came into force.

The Tribunal held that the date of reckoning for import is the date of shipment/dispatch of the goods, which in this case was 30 January 2017, prior to the QCO coming into force on 7 February 2017. Therefore, the appellant was not required to affix the BIS mark on the goods imported. *The importer was represented by Lakshmikumaran & Sridharan Attorneys here.*

[Shah Foils Limited v. Commissioner – 2025 VIL 236 CESTAT AHM CU]



Article

A comprehensive analysis of the e-commerce guidelines by BIS

By Rahul Limaye and Jhanvi Arora

Introduction

The e-commerce ecosystem in India has experienced significant growth in recent years. As per a recent report, the e-commerce market in the country is projected to grow at a compound annual growth rate (CAGR) of 10% and reach USD 550 billion by 2035¹.

However, due to the largely unorganised nature of the sector, there has been no robust legal framework for its effective governance. The Consumer Protection (E-Commerce) Rules, 2020, issued by the Ministry of Consumer Affairs, Food, and Public Distribution was an important step toward bringing some order, however, there continued to be a gap for comprehensive regulation of e-commerce operations.

This paved the way for the introduction of 'E-Commerce – Principles and Guidelines for Self-Governance' ('**Guidelines**') by the Bureau of Indian Standards, which are not only well-intentioned but also comprehensive. Considering the rapid expansion of the sector, such structured approach to self-regulation was necessary to address concerns regarding consumer protection, fair trade practices, and data privacy. The article in this issue of BIS Amicus delves into key aspects of these Guidelines issued earlier this year and notes some strategic implications for Indian businesses.

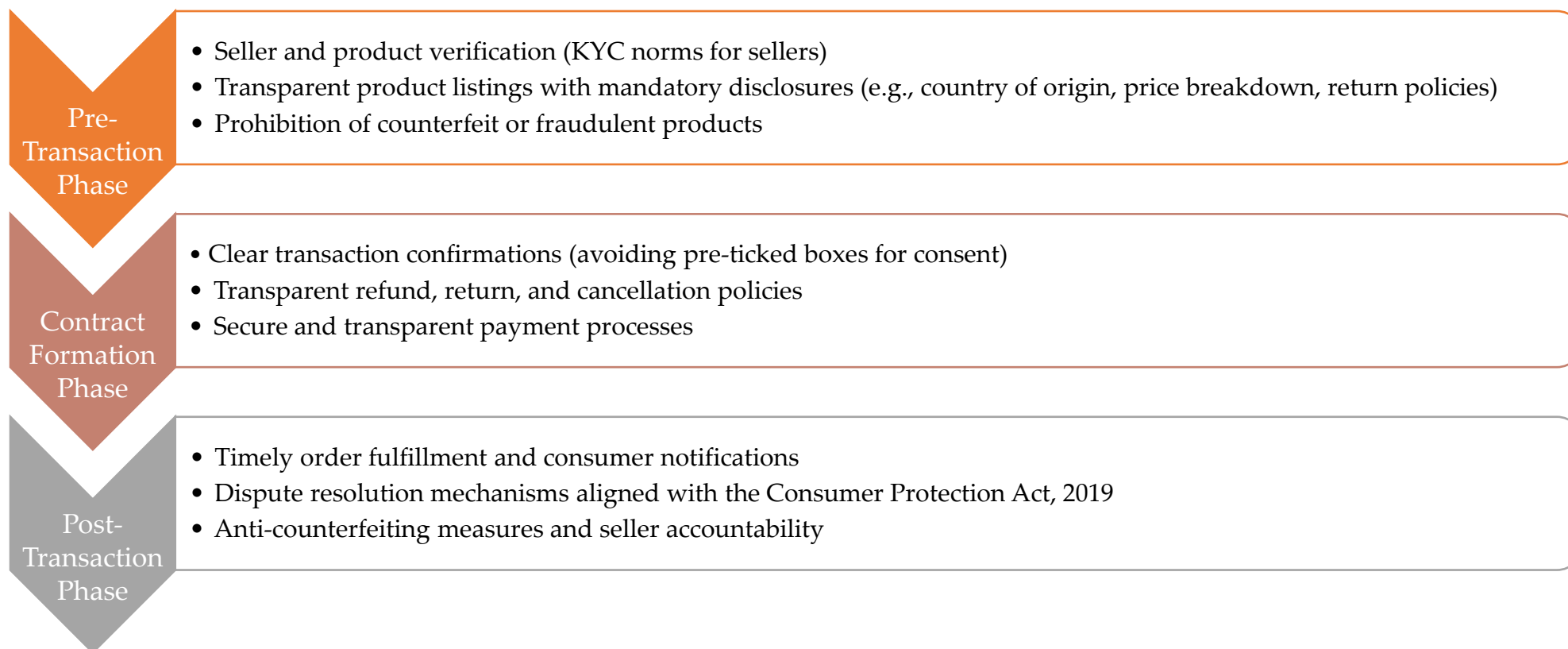
Scope and objectives of the Guidelines

The Guidelines aim to regulate e-commerce transactions by setting principles applicable at various stages of an online purchase, including the Pre-Transaction, Contract Formation, and Post-Transaction phase. These principles cover aspects such as seller

¹ See Economic Times news [here](#).

verification, product listing requirements, transaction security, consumer grievance redressal, and fair competition. The objective is to build an ethical e-commerce environment that fosters consumer confidence while ensuring business accountability.

An overview of the three stages discussed above in the context of the E-commerce Guidelines has been provided herein below:



Another notable feature of these Guidelines is their focus on self-governance, meaning that compliance is voluntary rather than legally mandated.

While this approach allows flexibility for businesses, it also raises concerns regarding uniformity and enforceability, particularly in an industry dominated by multinational e-commerce players with varied operational models.

Merits of the Guidelines

The introduction of self-regulatory principles through these Guidelines presents several advantages for both consumers and businesses.

i. Enhanced consumer protection and market transparency

A fundamental strength of the Guidelines is their emphasis on consumer protection. E-commerce platforms are required to disclose clear and comprehensive information regarding product specifications, pricing breakdowns, return and refund policies, and seller details. Such transparency helps consumers make informed choices and reduces instances of misleading advertisements and fraudulent transactions.

The Guidelines also introduce measures to combat counterfeit products, ensuring that platforms establish mechanisms for reporting and taking action against fake or substandard goods. This is particularly beneficial in the light of increasing concerns regarding the sale of counterfeit items through online marketplaces.

ii. Fair competition and non-discriminatory practices

One of the most significant provisions of the Guidelines is the prohibition against preferential treatment. Many large e-commerce platforms have been accused of favouring certain sellers—especially those affiliated with the platform itself—by offering them better visibility, pricing advantages, or exclusive deals. The Guidelines mandate that all sellers be treated equally, ensuring a level playing

field and preventing monopolistic tendencies in the e-commerce sector.

Additionally, the Guidelines discourage price manipulation and unfair bundling of services, ensuring that consumers have access to genuine discounts and competitive pricing without hidden conditions or forced add-ons.

iii. Robust seller verification and accountability

By requiring comprehensive Know Your Seller ('KYC') norms, the Guidelines impose a duty on e-commerce platforms to verify seller credentials before permitting them to list products. This reduces instances of fraudulent sellers exploiting online platforms to conduct illicit trade. Moreover, sellers are required to clearly disclose information regarding warranties, refunds, and their own identity, thereby enhancing accountability and trust in online transactions.

iv. Data protection and privacy safeguards

The Guidelines address consumer data protection by ensuring that platforms obtain explicit consent before collecting personal data. Additionally, they restrict the unauthorized sharing or misuse of consumer information for targeted marketing. Given the increasing legal focus on data protection, particularly with the introduction of the Digital Personal Data Protection Act, 2023, these provisions align with global best practices in privacy regulation.

Limitations and challenges

While the Guidelines introduce progressive measures for the regulation of e-commerce, they also exhibit certain shortcomings and challenges that may affect their effectiveness.

i. Absence of legal enforceability

A major limitation of the Guidelines is that they are not legally binding, making compliance purely voluntary. Unlike the Consumer Protection (E-Commerce) Rules, 2020, which impose statutory obligations on online marketplaces, the BIS Guidelines serve only as recommendations.

ii. Compliance burden on small and medium sellers

While the Guidelines promote seller verification and transparency, they may increase the compliance burden on small and medium enterprises (SMEs). Many small-scale sellers rely on e-commerce platforms for market access, and stringent documentation and product listing requirements could create barriers to entry. This may favour established players over smaller businesses, contradicting the objective of ensuring fair competition.

Additionally, the requirement for exhaustive product disclosures, compliance with anti-counterfeiting measures, and data protection obligations may prove to be financially and operationally challenging for new or small sellers who lack the resources to meet these standards.

Strategic implications for businesses

Despite their limitations, the Guidelines present opportunities for businesses that proactively align with their principles. Companies that voluntarily adopt these measures can strengthen consumer trust, enhance brand reputation, and mitigate regulatory risks.

E-commerce platforms should focus on strengthening seller verification processes, enhancing transparency in pricing and product information, and ensuring compliance with evolving data protection norms. Establishing robust grievance redressal mechanisms and fair business practices can position businesses favourably in the long run, particularly as regulatory scrutiny over digital commerce intensifies.

Most importantly, companies must prepare for potential legislative mandates in the future, as self-regulatory Guidelines often serve as a precursor to formal statutory obligations. Early adoption can provide businesses with a competitive advantage in a rapidly evolving legal and commercial landscape.

Final thoughts

The BIS E-Commerce Self-Governance Guidelines mark an important step toward establishing ethical and consumer-centric e-commerce practices in India. By focusing on transparency, fair competition, and consumer protection, they seek to create a responsible digital marketplace.

The draft's one-size-fits-all approach, however, overlooks the diverse operational needs of business models, ranging from marketplaces and D2C platforms to subscription-based services. Stringent requirements like exhaustive KYC and detailed pricing disclosures may disproportionately burden the smaller platforms, potentially threatening their sustainability.

Nonetheless, adapting to these principles proactively can ensure regulatory readiness and enhance consumer confidence. As India's e-commerce ecosystem continues to grow, these Guidelines may influence future mandatory regulations, making early compliance a strategic advantage rather than a regulatory obligation.

[The authors are Partner and Long-term Intern, respectively, in BIS practice at Lakshmikumaran & Sridharan Attorneys]



QCO Updates

QCO Updates – February 2025

For ease of reference, we have compiled a comprehensive set of data covering the following:

- **Upcoming QCOs** – Notified and due for implementation
- **QCOs notified in the Official Gazette:** Published by the respective line Ministries of the Central Government, in consultation with the BIS under Section 16 of the BIS Act, 2016
- **QCOs notified on the WTO-TBT portal, 'ePing':** These are draft QCOs notified by India for WTO member countries to review and give comments. They are yet to be finalized and are not published in the Official Gazette yet.
- **Amendments/extensions** to the existing QCOs

QCOs to be implemented in the upcoming months

In the upcoming months, from March 2025 to May 2025, a total of **100 products** will be covered under the ambit of QCOs. Here's an overview of the same:

	March	April	May
No. of Products	43	47	10
Ministry/ Department which has issued the QCO	Ministry of Steel – 6 QCO Department for Promotion of Industry and Internal Trade (DPIIT) – 29	Department for Promotion of Industry and Internal Trade (DPIIT) – 26 Ministry of Textiles – 11 Department of Chemicals and Petrochemicals – 6	Department of Chemicals and Petrochemicals – 6 Ministry of Heavy Industries – 3 Department for Promotion of Industry and Internal Trade (DPIIT) – 1

	Department of Chemicals and Petrochemicals – 8	Ministry of New and Renewable Energy – 3 Ministry of Electronics and Information Technology – 1	
Products	Steel products, Electrical Appliances – Skin or haircare, Electric Water Heaters, Cross Recessed Screws, Wrenches, Pliers, Chemicals such as Ethyl Acrylate, Vinyl Acetate Monomer, Polycarbonate, etc.	Textile Products, Stainless Steel Utensils, Aluminium and Aluminium Alloy Products, Safety of Household and Similar Electrical Appliances, Solar Thermal Systems, Devices and Components, Fatty Acids, Digital Television Receiver, etc.	Low – Voltage Switchgear and Controlgear, Chemicals such as Morpholine, Vinyl Chloride Monomer, H Acid, K Acid, etc., Electric Fence Energizers, etc.

Industries likely to be impacted

- Construction;
- Hardware;
- Electrical Appliances;
- Tool manufacturing;
- Textiles;
- Steel and Aluminium;
- Solar Systems; and
- Chemical and Petrochemical Industries/ Companies, among others.

LKS Comments

All the manufacturers (both domestic and foreign) of the products listed above shall be required to obtain BIS certification in order to comply with the QCOs. However, subject to the facts and circumstances of the case, the manufacturers may also seek an exemption or extension of the QCO by drafting a representation to BIS/line ministry, as the case may be.

QCOs notified in the Official Gazette

Sl. No.	Order Title	Date of implementation
1.	Furniture (Quality Control) Order, 2025	14 February 2026
2.	Stainless Steel Pipes and Tubes (Quality Control) Order, 2025	1 August 2025

LKS Comments

Obtaining BIS certification is a time-consuming process. Thus, we urge all the manufacturers (both domestic and foreign) to take the necessary steps to comply with the relevant Indian Standards and apply for the certification at the earliest.

With respect to both the QCOs notified this month, as mentioned above, the license shall be granted as per Scheme-I of BIS (Conformity Assessment) Regulations, 2018, i.e., the Product Certification Scheme. The QCOs have been issued by the Department for Promotion of Industry and Internal Trade (DPIIT), Ministry of Commerce and Industry.

QCOs notified by India on the WTO-TBT portal – ‘ePing’

Sr. No.	Order Title	Notification Date
1.	Medical and Surgical Gloves (Quality Control) Order, 2024	21 February 2025

LKS Comments

The '**Medical and Surgical Gloves (Quality Control) Order, 2024**' has been notified by the Department of Pharmaceuticals, Ministry of Chemicals and Fertilizers. It covers under its ambit three product categories, along with their corresponding Indian Standards, as mentioned hereinbelow:

- i. Disposable Surgical Rubber Gloves - IS 13422:1992
- ii. Single use medical examination gloves (Part 1 Specification for gloves made from rubber latex or rubber solution) - IS 15354 (Part1) : 2023/ ISO 11193-1: 2020
- iii. Specification for Post-mortem rubber gloves - IS 4149 : 1967

While the draft QCOs notified on the WTO website are yet to be notified in the Official Gazette, we suggest that the manufacturers start the necessary procedures to comply with the relevant Indian Standards as well as the QCOs. Once they are notified by the Central Government, it will be mandatory to obtain BIS certification for the respective products within the stipulated timeline.

Extensions to the existing QCOs

No extensions were notified in the previous month.

Amendment Orders

Sr. No.	Order Title
1.	Copper Product (Quality Control) Amendment Order, 2025
2.	Air Conditioner and its related Parts, Hermetic Compressor and Temperature Sensing Controls (Quality Control) Amendment Order, 2025

LKS Comments - *What's in the Amendment?*

- i. The '**Copper Product (Quality Control) Amendment Order, 2025**' has been issued to introduce a new provision that exempts certain imports from the order until 31 March 2025, for manufacturing in India. The amendment is with respect to 'Wrought Copper Tubes for Refrigeration and Air-Conditioning Purpose', and the exemption is up to 25% of the total import value in FY 2023-24.
- ii. The '**Air Conditioner and its related Parts, Hermetic Compressor and Temperature Sensing Controls (Quality Control) Amendment Order, 2025**' also introduces a new provision, which states that the QCO will not apply to Hermetic Compressors with a capacity greater than 7000 W (2TR) for one year from the date of commencement of the Amendment order. This exemption is specifically for manufacturers of air conditioning and refrigeration equipment

BIS - All India/ Global First Licence

BIS issued the All India/ Global First Licence, that is, the first licence ever issued for a certain product/Indian Standard for the following products in February 2025:

Sr. No.	Product	Indian Standard	Company
1.	Polyethylene Fittings for use with Polyethylene Pipes for the Supply of Gaseous Fuels - Part 3 - Electro Fusion Fittings	IS 15927 (Part 3) : 2011	M/s Wasserfluss India Private Limited
2.	Textiles - Continuous Filament Polyamide (Nylon 6) Yarn	IS 7867 : 2024	M/s Todi Rayons Pvt. Ltd.
3.	Textiles - Glass Fibre Chopped Strand Mat for the Reinforcement of Epoxy, Vinyl Ester, Phenolic and Polyester	IS 11551 : 2024	M/s Goa Glass Fibre Ltd.

	Thermoset Resin Systems		
4.	Ferritic-Pearlitic Engineering Steels for Precipitation Hardening from Hot-Working Temperatures	IS 16733 : 2018	M/s JSW Steel Limited
5.	Fumed Silica	IS 18731 : 2024	M/s Cabot Sanmar Limited
6.	Cast Iron Single Faced Thimble Mounted Sluice Gates	IS 13349:1992	M/s Maurya Foundry Aids Pvt Limited

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