**BY E-MAIL / COURIER**

**File No.197/2023-Opinion**

05.10.2023

M/s. Turbo Energy Private Limited,

“Stoneacre”,

No.67, Chamiers Road,

R.A. Puram,

Chennai – 600 028.

Attn.: Mr. R. Ravi, Manager-Finance <ravi.r@turboenergy.co.in>

C.C.: <srinivasan.l@turboenergy.co.in>

**Sub.: BIS Certification for Nuts, Bolts and Aluminium Products.**

Dear Ravi,

1. In connection with the above, find attached the following.

(a) Opinion.

(b) Our Bill towards professional charges.

2. Should you need any further clarification in this regard, please feel free to contact me. Kindly arrange for payment of the attached bill.

Regards,

**S. Murugappan**

Attached: as above.

sm/ss

**OPINION**

**1. QUERIST:**

M/s. Turbo Energy Private Limited,

“Stoneacre”,

No.67, Chamiers Road,

R.A. Puram,

Chennai – 600 028.

**2. FACTS:**

 The querist imports aluminium raw materials and various steel fasteners for use in its production activities. Recently, Indian Government has introduced new rules on the import of Bolts, Nuts and Fasteners by issuing a notification called “The Bolts, Nuts and Fasteners (Quality Control) Order, 2023” and Ministry of Mines order for Aluminium ingots imports. By this order, the Bolts, Nuts and Fasteners other than as a part of any finished goods or sub-assembly or component and Aluminium Ingots and Aluminium alloys, when imported into India shall conform to the Indian Standards.

**3. QUERY:**

In the above context, querist wants clarification on the following:

1. How many BIS notification order issued by Government?

2. Which HSN code falls under BIS category?

3. Whether this BIS order is applicable for domestic sales?

4. Can the querist import products based on the IS standard equivalent to the BIS standard without import supplier registration?

5. Whether importer should apply and register with BIS for their import product?

6. What is the procedure for registration?

7. What will be the implication if the querist imports without BIS Registration from supplier?

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8. Whether Steel Clamp, Steel Ring, Hose Clamp, Spring Pin, V Ring etc. will fall under BIS?

9. In Aluminium GO, under pg 3 table item one has a reference to “castings”. What does this imply? If the querist manufactures castings from aluminium ingots, do they have to get BIS certification for all products manufactured from aluminium ingots?

10. Typical duration for a supplier to register for BIS?

11. The GO indicates the implementation to be completed in 3 months’ time, is this feasible if all import suppliers have to undergo registration with BIS?

12. Where to apply for BIS certificate?

13.  Is BIS will be applicable for wrought aluminium / extruded bar?

**4. OPINION:**

# 1. There are several notifications issued by BIS requiring certification, registration etc. depending upon the nature of the products. The various notifications issued covers steel / steel products, various metal raw materials and also electronic and IT goods with inputs from the Ministry of Electronics and Telecommunications. The various standards and certification notifications can be seen in BIS website viz., bis.gov.in.

2. The standards / certification requirements depend upon the products identified by BIS. These are not based on HS codes. Or in other words, it is not that based on HS codes the certification requirements are listed out. One has to check what are the products brought under compulsory registration or certification requirement by BIS and then examine the scope of the certification / registration requirement. HS code will not have any direct impact except for the limited purpose of identifying the product with the nomenclature.

3. The BIS orders issued are applicable to domestic sales also.

4. It is not possible to import products with equivalent standards. If the notification requirement is that the product should satisfy a particular BIS standard, then, the supplier should have obtained necessary / appropriate registration with BIS. The product cannot be imported on the ground that it is of a standard followed by others (like ASTM) that is equivalent to the specified standard by BIS.

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5. The manufacturer who supplies the goods to the Indian importer should get registered with BIS. They can also authorize any other representative in India, including the importer, who gets the goods from them to represent them and get registration.

6. The application is to be filed online through BIS website. In fact, there is a separate foreign manufacturers certification scheme (FMCS) in the Delhi office of BIS. This section takes care of registration requirements applied for by foreign manufacturers.

7. If the goods are imported without BIS registration, when there are stipulations to the effect that the product has to be imported with appropriate BIS registration then, the goods imported will not be allowed clearance. The import will be treated as in contravention of the legal provisions applicable in India and the requirements stipulated under the BIS regulations and consequently, there will be imposition of fines and penalties through adjudication proceedings. Goods will be directed to be either re-exported or destroyed upon payment of redemption fine.

8. In the recent order issued by the Ministry in respect of bolts, nuts and fasteners, there are various standards referred to relating to fasteners. The querist has to go through these standards and examine their scope and coverage. Based on that, it can be decided whether steel clamps, spring pins etc. will be within the scope of the above order.

9. The expression used is “aluminium and aluminium alloy ingots and castings”. Thus, cast articles of aluminium and aluminium alloy will be within the scope of this order. At the same time, it is to be seen that the corresponding specification IS 617:1994 indicates the scope as applicable for aluminium and aluminium ingots and castings for general engineering applications. As such, this may not cover specific components of machinery that have been made through the process of casting. The querist can go through the above standard to rule out its applicability for the castings manufactured by it.

10. The time taken by the BIS for issue of certification depends upon the nature of the product, the completeness of the information provided etc. As we do not deal with such cases for processing of applications before BIS, we will not be able to specify the time limit that is normally taken.

11. Normally, such orders stipulate a specific time for compliance by the various stakeholders. It is necessary that they comply with the time limit. It is also seen that there are several cases where the implementation of the order is periodically extended depending upon the difficulties expressed by the industry.

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12. The application is to be filed online and follow-up can be done through the office of BIS located in Delhi. There are numerous consultants available in Delhi for completing the process of registration with BIS.

13. The present notification issued for aluminium products mentions aluminium ingots and castings and also aluminium billets and wire bars (EC Grade). There is no reference to wrought aluminium or extruded bar and the expression “wrought aluminium” refers to aluminium products which have been subjected to mechanical work like hammering etc. Therefore, in our view, these products, namely, “wrought aluminium” may not be covered by the present order.

**S. MURUGAPPAN**

sm/ss

**Disclaimer:-** The above opinion is provided based on the information and documents made available to us by the queriest and further based on the laws and rules prevalent as on date and the understanding of such provisions by the author and is meant for the private use of the person to whom it is provided without assuming any liability for any consequential action taken based on the views expressed here.