



ગુજરાત વેપારી મહામંડળ

Gujarat Chamber of Commerce & Industry



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Vice President

Sachin Patel
Hon. Secretary

Mahesh Puj
Hon. Secretary (R)

Navroz Tarapore
Hon. Treasurer

20th January, 2022 / 15106

Shri Piyush Goyal

Hon'ble Minister of Consumer Affairs, Food and Public Distribution
Govt. of India
Krishi Bhawan, Dr. Rajendra Prasad Road,
New Delhi-110001

Sub: Request to allow clearance of imported stock of Toys till January, 2023 in view of the current pandemic situation.

Respected Sir,

Greetings from Gujarat Chamber of Commerce & Industry (GCC).

Government of India issued Quality Control Order for toys whereby ISI mark on toys has been made compulsory with effect from 1st January, 2021 and non-ISI marked toys have been declared as illegal.

Accordingly, BIS team has started raiding some of the toy stalls and are seizing the stock which are without ISI mark.

Sir, we have received a representation from the Ahmedabad Toy Association (Copy enclosed) mentioning that there is a huge pile of unsold stock of toys which were imported before 31st December, 2020 as per the prevailing laws at that time, but which have now been declared illegal as they do not have ISI mark on them.

Sir, we fully support government's decision to restrict import of toys to prevent dumping by some countries which is adversely affecting the domestic toys industry. However, due to the current pandemic situation which has been prevailing since last 2 years, the toys retailers were unable to sell most of their goods and clear the purchased stock lying since last 2 years.

We therefore request you to positively consider the hardships faced by the toys retailers due to the prevailing pandemic and grant them time till January, 2023 to clear out their stock.

We look forward to your positive decision in the matter.

Hemant N. Shah
President.

Encl : as above

Copy to: The Ahmedabad Toy Association, 17, Sanskar Bharti Society,
Ankur Char Rasta, Naranpura, Ahmedabad-380013



The Ahmedabad TOY Association

17, Sanskar Bharti Society, Ankur Char Rasta, Naranpura,
Ahmedabad-380 013. Gujarat.

Phone : 079-27476403 • Email : theahmedabadtoyassociation@gmail.com

Ref. No.

Ref: TATA/Jan/22/01

Date :

19.01.2022

To,
The Secretary,
Gujarat Chamber Of Commerce,
Ahmedabad.
Dear Sir,

Sub : BIS Implementation on Toys

The Government issued Quality Control Order for Toys on 25 Feb. 2020, which was to be implemented from 01 Sep. 2020, which was later deferred and implemented w.e.f 01 Jan 2021.

ISI mark on Toys has been made compulsory w.e.f 01 Jan 2021 and non-ISI marked toys have been declared illegal. BIS team has started raiding some of the toy's stores and some stocks have been reported seized by them

We all still hold a sizable inventory of the stocks manufactured or imported before 31 Dec. 2020 legitimately by paying all the Duties and Taxes as the laws prevailing at that time. We have invested our life's funds on those stocks.

Non-BIS Stocks manufactured after 01 Jan 2021 can be called illegal but goods manufactured before that legitimately cannot be declared illegal. If that stock is illegal, the Government should refund the duties and taxes charged on that stock and compensate the poor traders with the cost of goods. After that Government can do, whatever needed with that stock.

A sword of fear is hanging on the heads of Toys Traders which can cut someone anytime, BIS officials have started raiding the toy stores across India. BIS will act as per the QCO. The QCO says that the Toys should be certified as per Schedule-1 of the quality standards of BIS. If not, it is liable to be seized and legal action to be taken as per laws.

But this QCO does not speak anything about the stocks manufactured before its implementation date i.e. 01 Jan 2021 whether they are legal or illegal. According to BIS it's illegal and according to natural justice it is legal as it was manufactured or imported as per the prevailing laws at that time by paying duties and taxes.

The Government allowed to clear all the container of imported stocks which were manufactured before 31 Dec 2020 and were in transit after getting them tested in BIS designated Labs and charging 60% import duty, till March 2021. These stocks don't have ISI label and are also illegal as per BIS.

We request the Gujarat Chamber of Commerce to kindly mediate in the matter and help us to get a practical solution which will not only help us to liquidate the old stocks but also save the Toy traders from heavy debts and loss of livelihood.

Thanking You,
Your Sincerely,


(Mukesh Chokshi)

Secretary
The Ahmedabad Toy Association – TATA
Ph: 9825008985




सत्यमेव जयते

भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-26022020-216415
CG-DL-E-26022020-216415

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 780]

नई दिल्ली, मंगलवार, फरवरी 25, 2020/फाल्गुन 6, 1941

No. 780]

NEW DELHI, TUESDAY, FEBRUARY 25, 2020/PHALGUNA 6, 1941

वाणिज्य और उद्योग मंत्रालय

(उद्योग संवर्धन और आंतरिक व्यापार विभाग)

आदेश

नई दिल्ली, 25 फरवरी, 2020

का.आ. 853(अ).—भारतीय मानक ब्यूरो अधिनियम, 2016 (2016 का 11) की धारा 25 की धारा 17 और उप-धारा (3) के साथ पठित धारा 16 की उप-धाराओं (1) और (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केंद्र सरकार का, ब्यूरो के साथ परामर्श करने के बाद, यह मत है कि जनहित में ऐसा करना आवश्यक एवं हितकर है, अतः एतद्वारा निम्नलिखित आदेश करती है, नामतः—

1. **संक्षिप्त शीर्षक और प्रारंभ-** (1) इस आदेश को खिलौना (गुणवत्ता नियंत्रण) आदेश, 2020 कहा जाएगा।
(2) यह आदेश दिनांक 01.09.2020 से प्रभावी होगा।
2. **अनुप्रयोग-** यह आदेश, जब तक कि किसी अन्य संदर्भ में अपेक्षित न हो—
 - (क) यह गुणवत्ता नियंत्रण आदेश ऐसे उत्पादों (खिलौनों) अथवा सामान अथवा स्पष्ट रूप से 14 वर्ष से कम आयु के बच्चों के खेलने के लिए बनाई गई वस्तुओं, चाहे केवल इसी प्रयोजन से बनाई गई हो अथवा नहीं, अथवा केंद्र सरकार द्वारा समय-समय पर अधिसूचित किसी अन्य उत्पाद पर लागू होगा।
 - (ख) यह आदेश ऐसे खिलौनों पर लागू होगा जो बच्चों को शुरुआत में प्राप्त होते हैं और, इसके अलावा, यह आदेश, जब तक कि अन्यथा विशेष रूप से उल्लिखित न हो, खिलौना सामान्य इस्तेमाल की भावी दशाओं तथा इसके गलत इस्तेमाल न होने की उपयुक्तता के अधीन है, के बाद उस पर लागू होगा।

3. मानक का अनुपालन और मानक चिह्न का अनिवार्य प्रयोग—निम्नलिखित तालिका के कॉलम (1) में विनिर्दिष्ट वस्तुएँ या सामान उक्त तालिका के कॉलम (2) में उल्लिखित तदनुसूची भारतीय मानक के अनुरूप होंगे तथा उनमें भारतीय मानक ब्यूरो (अनुपालन मूल्यांकन) विनियम, 2018 की अनुसूची-II की स्कीम-I के अनुसार ब्यूरो के लाइसेंस के तहत मानक चिह्न लगा होगा।

वशर्ते कि निर्यात की जाने वाली वस्तुओं या सामान पर इस आदेश से कुछ भी लागू नहीं होगा।

4. प्रमाणन और प्रवर्तन प्राधिकरण—ब्यूरो उक्त तालिका के कॉलम (1) में विनिर्दिष्ट वस्तुओं या सामान के संबंध में प्रमाणन और प्रवर्तन प्राधिकरण होगा।

तालिका

वस्तु या सामान	भारतीय मानक	भारतीय मानक का शीर्षक
(1)	(2)	(3)
खिलौने	आईएस 9873 (भाग 1) : 2018	खिलौनों की सुरक्षा भाग 1 मैकेनिकल और भौतिक सामान से संबंधित सुरक्षा पहलू
	आईएस 9873 (भाग 2) : 2017	खिलौनों की सुरक्षा भाग 2 ज्वलनशीलता
	आईएस 9873 (भाग 3) : 2017	खिलौनों के लिए सुरक्षा आवश्यकता भाग 3 कतिपय तत्वों में बदलाव
	आईएस 9873 (भाग 4) : 2017	खिलौनों की सुरक्षा भाग 4 स्विंग, स्लाइड्स और इसी प्रकार के इंडोर ओर आउटडोर फैमिली उपयोग वाले खिलौने
	आईएस 9873 (भाग 7) : 2017	खिलौनों की सुरक्षा भाग 7 फिंगर पेंट्स के लिए आवश्यकता और जांच पद्धति
	आईएस 9873 (भाग 9) : 2017	खिलौनों की सुरक्षा भाग 9 खिलौनों और बच्चों के उत्पादों में कतिपय थैलेट्स ईस्टर्स
	आईएस 15644: 2006	इलैक्ट्रिक खिलौनों की सुरक्षा

नोट : इस तालिका के प्रयोजन के लिए, भारतीय मानक ब्यूरो द्वारा समय-समय पर अधिसूचित किए गए संशोधनों सहित भारतीय मानकों के नवीनतम संस्करण ऐसी अधिसूचना की तिथि से लागू होंगे।

[फा. सं. 11(4)/2017-सीआई]

मनमोहन के. नंदा, संयुक्त सचिव

MINISTRY OF COMMERCE AND INDUSTRY

(Department for Promotion of Industry and Internal Trade)

ORDER

New Delhi, the 25th February, 2020

S.O. 853(E).—In exercise of the powers conferred by sub-sections (1) and (2) of section 16 read with section 17 and sub-section (3) of section 25 of the Bureau of Indian Standards Act, 2016 (11 of 2016), the Central Government, after consulting the Bureau, is of the opinion that it is necessary and expedient so to do in the public interest, hereby makes the following Order, namely:—

1. **Short title and commencement.**—(1) This Order may be called the Toys (Quality Control) Order, 2020.

(2) It shall come into force with effect from 01.09.2020.

2. **Application.**—In this order, unless the context otherwise requires—

(a) This Quality Control Order shall apply to (Toys) Product or material designed or clearly intended, whether or not exclusively, for use in play by children under 14 years of age or any other product as notified by the Central Government from time to time;

- (b) This order shall apply to Toys as they are initially received by the children and, in addition, this shall apply after a toy is subjected to reasonably foreseeable conditions of normal use and abuse unless specifically noted otherwise.

3. **Conformity to standard and compulsory use of Standard Mark.**—The goods or articles specified in the column (1) of the Table below shall conform to the corresponding Indian Standard (s) mentioned in the column (2) of the Table and shall bear the Standard Mark under a licence from the Bureau as per Scheme-I of Schedule-II of BIS (Conformity Assessment) Regulations, 2018:

Provided that nothing in this order shall apply to goods or articles meant for export.

4. **Certification and enforcement authority.**—The Bureau shall be the certifying and enforcement authority for the goods or articles specified in column (1) of the following Table.

TABLE

Goods or articles	Indian Standard	Title of Indian Standard
(1)	(2)	(3)
Toys	IS 9873 (Part 1) : 2018	Safety of Toys Part 1 Safety Aspects Related to Mechanical and Physical Properties.
	IS 9873 (Part 2) : 2017	Safety of Toys Part 2 Flammability.
	IS 9873 (Part 3) : 2017	Safety Requirements for Toys Part 3 Migration of Certain Elements.
	IS 9873 (Part 4) : 2017	Safety of Toys Part 4 Swings, Slides and Similar Activity Toys for Indoor and Outdoor Family Domestic Use.
	IS 9873 (Part 7) : 2017	Safety of Toys Part 7 Requirements and Test Methods for Finger Paints.
	IS 9873 (Part 9) : 2017	Safety of Toys Part 9 Certain Phthalates Esters in Toys and Children's Products.
	IS 15644: 2006	Safety of Electric Toys.

Note : For the purposes of Table, the latest version of Indian Standards including the amendments issued thereof, as notified by the Bureau from time to time, shall apply from date of such notification.

[F. No. 11(4)/2017-C.I]

MANMEET K. NANDA, Jt. Secy.



भारतीय मानक ब्यूरो
उपभोक्ता मामले, खाद्य एवं सार्वजनिक वितरण मंत्रालय
भारत सरकार
BUREAU OF INDIAN STANDARDS
Ministry of Consumer Affairs, Food & Public Distribution
Government of India

अहमदाबाद शाखा कार्यालय / Ahmedabad Branch Office

तीसरा तल, नवजीवन अमृत जयंती भवन, गुजरात विद्यापीठ के पीछे, ऑफ आश्रम रोड, अहमदाबाद - 380 014 दूरभाष : 079-27540317, 27540318 ई-मेल : ahbo@bis.gov.in वेबसाइट : www.bis.gov.in
3rd Floor, Navjivan Amrut Jayanti Bhavan, Behind Gujarat Vidyapith, Off. Ashram Road, Ahmedabad - 380 014. Tel: 079-27540317, 27540318 Email : ahbo@bis.gov.in Website : www.bis.gov.in

Our Ref: AHBO/ENF

13.01.2022

Subject: Authorization of BIS Certification Officers to conduct search & Seizure operation

Dear Sir(s),

BIS has reasons to believe that Violation of Quality Control Order has been taking place on safety of toys in your premises in violation of Section 17 of BIS Act, 2016.

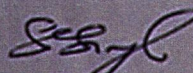
2. I hereby authorize the investigating team consisting of following officers to undertake investigation, search & seizure in your premises on 13.01.2022.

- 1 Shri Ashutosh Shukla, Sc.C
- 2 Shri B V Ramana Sc.C
- 3 Smt Nita S Gandhi, ASO

3. You are requested to extend full co-operation to the investigating team and help them in performance of their duties.

Thanking you,

Yours faithfully,


(S.K. Singh)
Scientist-E & Head



भारतीय मानक ब्यूरो
उपभोक्ता मामले, खाद्य एवं सार्वजनिक वितरण मंत्रालय
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Our Ref: ANBO-I/Seizure/02

Date: 13/01/2022

Subject: Search & Seizure Operation on

M/s. Dins - Dong Ramakada Ghar, Gunukul Road,
Ahmedabad.

Sir,

The article(s) as detailed below have been seized today from the aforesaid premises vide Seizure Memo No. 01 (a) dated 13/01/2022 at hrs (Time) while carrying out search & seizure operation, under the provisions of BIS Act, 2016.

2. The article(s) have been seized in pursuance to Section 28 of the Bureau of Indian Standards Act, 2016, which empowers the BIS Certification Officer(s) to seize such goods or article and other material and documents which, in his opinion will be useful for, or relevant to any proceedings under this Act.

Sl. No.	Description of the Material/Documents seized with details of marking with specific reference in Standard Mark	Quantity (Approx.)	Identification Mark
(1)	(2)	(3)	(4)
1-	one box of non-ISI marked toys of different types and category (25 pieces) (ANBO-I/65544/63240/ENF/01)	25 no.	Various brands such as Maisto, Fischer price etc.
*2-	one toy (non-ISI marked) magnetic building blocks. (ANBO-I/65544/63240/ENF/02)	01 no.	'Design' Brand.

* this was carried by inspecting officers to BIS, Ahmedabad for evidence
3. You are hereby advised in your own interest, that the seized article(s) as detailed above is not removed, part with or otherwise dealt with, except with the previous permission of the undersigned (Certification Officer). Please note that any such action on your part shall further amount to contravention of Section 28 of BIS Act, 2016 and Section 506 of IPC, 1860 for Breach of Trust/Criminal Intimidation.

Name of Certification Officer:
Designation:

Achuthan Shukla
Scientist - C

B.V. Ramana
Scientist - C

(Signature, name and address of the person, Prop /Partner/Owner/ Employee/Representative of the premises receiving this letter after search)

Residence