

# WORLD TRADE ORGANIZATION

G/TBT/N/IND/20/Add.1  
2009

Committee on Technical Barriers to Trade

Original: English

## NOTIFICATION

### Addendum

The following communication, dated February 2009, has been received from the delegation of INDIA.

AGENCY: Bureau of Indian Standards  
Manak Bhawan,  
9 Bahadur Shah Zafar Marg  
New Delhi-110 002  
Telephone: 91-11-23231082  
Fax: 91-11-23239399  
Email: [info@bis.org.in](mailto:info@bis.org.in)  
Website: [www.bis.org.in](http://www.bis.org.in)

TITLE: This Order would be called the "Pneumatic Tyres and Tubes for Automotive Vehicles (Quality Control) Order, 2009", (8 pages, in English).

SUMMARY: Vide TBT Notification No G/TBT/N/IND/20 dated 17 July 2006, "Pneumatic Tyres and Tubes for Automotive Vehicles (Quality Control) Order, 2006" was issued. Several comments were received with respect to the above notification and in view of the comments/representations received, the same has been reviewed. Fresh notification pertaining to bring Automotive tyres and tubes under mandatory certification has been issued as "Pneumatic Tyres and Tubes For Automotive Vehicles (Quality Control) Order, 2009".

COMMENT DEADLINE: 60 days from date of notification

Proposed date of adoption: } To be decided.  
Proposed date of entry into force: }

Full text is at:

# WORLD TRADE ORGANIZATION

G/TBT/N/IND/20  
17 July 2006

(06-3447)

Committee on Technical Barriers to Trade

Original: English

## NOTIFICATION

The following notification is being circulated in accordance with Article 10.6.

1.	<b>Member to Agreement notifying:</b> <u>INDIA</u> <b>If applicable, name of local government involved (Articles 3.2 and 7.2):</b>
2.	<b>Agency responsible:</b> Bureau of Indian Standards <b>Name and address (including telephone and fax numbers, e-mail and web-site addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:</b>  Manak Bhawan, 9 Bahadur Shah Zafar Marg New Delhi-110 002  Telephone: 91-11-23231082 Fax: 91-11-23239399 Email: <a href="mailto:info@bis.org.in">info@bis.org.in</a> Website: <a href="http://www.bis.org.in">www.bis.org.in</a>
3.	<b>Notified under Article 2.9.2    , 2.10.1    , 5.6.2   X  , 5.7.1    , other:</b>
4.	<b>Products covered (HS or CCCN where applicable, otherwise national tariff heading, ICS numbers may be provided in addition, where applicable):</b> Pneumatic Tyres & Tubes for Automotive Vehicles. ICS: numbers may be provided in addition, where applicable): ICS: 83.160.10
5.	<b>Title, number of pages and language(s) of the notified document:</b> This Order would be called the "Pneumatic Tyres and Tubes For Automotive Vehicles (Quality Control) Order, 2006", (4 pages, in English).
6.	<b>Description of content:</b> This notification pertains to bringing Automotive tyres and tubes under mandatory certification which is necessary for securing safety of the people. For compliance of this requirement, all manufactures of these products, shall be required to obtain certification from Bureau of Indian Standards (BIS).
7.	<b>Objective and rationale, including the nature of urgent problems where applicable:</b> Consumer protection and safety.
8.	<b>Relevant documents:</b> Sl. No.1 Item: Automotive vehicles – Pneumatic tyres for two and three-wheeled motor vehicles - Specification Indian Standard: IS 15627

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Sl. No: 2

Item: Automotive vehicles – Pneumatic tyres for passenger car vehicles – Diagonal and radial ply – Specification  
 Indian Standard: IS 15633

Sl. No: 3

Item: Automotive vehicles – Pneumatic tyres for commercial vehicles – Diagonal and radial ply – Specification  
 Indian Standard: IS 15636

Sl. No: 4

Item: Automotive vehicles – Tubes For Pneumatic Tyres - Specification  
 Indian Standard: IS 13098

The above standards can be obtained from :

Manak Bhawan,  
 9 Bahadur Shah Zafar Marg  
 New Delhi-110 002

Telephone: (+91)-11-23231082  
 Fax: (+91)-11-23239399  
 Email: [info@bis.org.in](mailto:info@bis.org.in)  
 Website: [www.bis.org.in](http://www.bis.org.in)

9. Proposed date of adoption: }  
 Proposed date of entry into force: } To be decided.

10. Final date for comments: 15 May 2009

11. Texts available from: National enquiry point [ X ] or address, telephone and fax numbers, e-mail and web-site addresses, if available of the other body:

Bureau of Indian Standards(BIS),  
 Manak Bhawan,  
 9 Bahadur Shah Zafar Marg  
 New Delhi-110 002

Telephone: (+91)-11-23231082  
 Fax: (+91)-11-23239399  
 Email: [info@bis.org.in](mailto:info@bis.org.in)  
 Website: [www.bis.org.in](http://www.bis.org.in)

**DRAFT FOR PUBLICATION IN THE GAZETTE OF INDIA  
EXTRAORDINARY**

**ORDER**

New Delhi, 2009

In exercise of the powers conferred by section 14 of the Bureau of Indian Standards Act, 1986 (63 of 1986), the Central Government after consulting the Bureau of Indian Standards, hereby makes the following Order, namely:-

1. Short Title and commencement:- (i) This Order may be called the Pneumatic Tyres and Tubes for Automotive Vehicles (Quality Control) Order, 2009.  
  
ii) It shall come into force immediately on completion of 120 days of its publication in the Official Gazette.
2. Definitions:- In this Order, unless the context otherwise requires:-
  - (a) "Act" means the Bureau of Indian Standards Act, 1986 (63 of 1986);
  - b) "Appropriate Authority" means an officer not below the rank of an Under Secretary in the Department of Industrial Policy and Promotion (DIPP) or an Under Secretary in the Ministry of Shipping, Road Transport & Highways, Government of India or an officer not below the rank of a General Manager, District Industries Centre of a State/UT Government
  - (c) "Bureau" means the Bureau of Indian Standards;



- (d) "Pneumatic Tyres and Tubes For Automotive Vehicles" mean the items specified in column (2) of the Schedule.
- (e) "Schedule" means the Schedule annexed to this Order
- (f) "dealer" or "seller" in relation to Pneumatic Tyres for Automotive Vehicles, means a person who, or a firm or Hindu Undivided Family which, carries on directly or otherwise the business of buying, selling, supplying or distributing Pneumatic Tyres for Automotive Vehicles, whether in cash or for deferred payment or for commission, remuneration or other valuable consideration;
- (g) "manufacturer" in relation to Pneumatic Tyres for Automotive Vehicles, means a person who, or a firm or Hindu Undivided Family or a Company or a Cooperative Society which, produces, makes or manufactures Pneumatic Tyres for Automotive Vehicles and includes a person who, or a firm or Hindu Undivided Family or a Company or a Cooperative Society which, claims such Pneumatic Tyres for Automotive Vehicles to be produced, made or manufactured by any such person or firm or Hindu Undivided Family, or a Company, or a Cooperative Society as the case may be;
- (h) "Specified Standard" means the Indian Standards as specified in the corresponding entry in column(3) of the Schedule
- (i) "State Government", includes a Union Territory Administration also;

(j) "Standard Mark" means the Bureau of Indian Standards Certification Mark specified by the Bureau to represent a particular Indian Standard.

(k) "Licence" means licence granted under Section 15 of Bureau of Indian Standards Act 1986 to use the Indian Standards Certification Mark.

(l) "Importer" means a person, a firm or any other legal entity that imports pneumatic tyres or causes its imports from a foreign country into the customs territory of India.

(m) "Exporter" means a person, a firm or any other legal entity that exports pneumatic tyres from India to another country.

(n) "Pneumatic Tyres" includes "Pneumatic Tubes" also.

(o) All other words and expressions used but not defined in this Order shall have the meanings respectively assigned to them in the Act.

3. Prohibition regarding manufacture, sale, distribution etc:-

(1) No person shall by himself or through any person on his behalf, manufacture, import or store for sale, sell or distribute Pneumatic Tyres for Automotive Vehicles, which do not conform to the Specified Standard and which do not bear the Standard Mark of the Bureau ;



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Provided that nothing in this order shall apply in relation to Pneumatic Tyres and Tubes for Automotive Vehicles for the following:

- (a) Tyres manufactured in India for exports. Tyres imported by OEMs and/or their authorized companies for fitment on vehicles/after sales meant for exports will also be exempted from mandatory BIS Certification and Marking. In both cases, exports may be either directly as individual components or as part of a vehicle completely built or in drive away chassis form or in completely knocked down (CKD) or semi-knocked down (SKD) condition.
- (b) Tyres imported as part of Completely Built Unit (CBU), irrespective of the value of the CBU, so long as such tyres meet the BIS specifications. In such cases self-declaration by CBU manufacturers in the vehicle manual would suffice. If vehicles are already exempt by DGFT notifications for homologation in India, self-declaration of tyres will not be required.
- (c) Tyres imported which are not covered in the Indian Standard. Exemption from BIS Marking and Certification would be available till such tyres are covered in the relevant Indian Standard.
- (d) Tyres imported or domestically manufactured for R&D purposes by vehicle manufacturers or tyre manufacturers. Tyre imports for R&D purposes will be allowed to Government

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recognized R&D laboratories subject to prior approval from the Director General of Foreign (DGFT).

- (e) Tyres imported by vehicle manufacturers for fitment on vehicles manufactured in India for domestic market (completely built or drive away chassis form). In such cases, self-declaration by the OEM in the vehicle manual to the effect that tyres fitted in the vehicles meet the requirements of BIS would suffice.
- (f) Tyres not manufactured domestically and imported by vehicle manufacturers or tyre manufacturers for selling in replacement market through their authorized dealers. The list of tyres not manufactured domestically and imported would be reviewed every six months by a Committee chaired by an officer of the Department of Industrial Policy and Promotion and having members from Ministry of Shipping, Road Transport and Highways, Central Institute of Road Transport (CIRT), (Automotive Tyre Manufacturers Association (ATMA), Society of Indian Automobile Manufacturers (SIAM) and Bureau of Indian Standards (BIS). The Committee will consider the issues/problems faced by the stakeholders, finalize the list of tyres to be exempted and make suitable recommendations.

4. Obligation for Certification:-

- (1) The manufacturer of Pneumatic Tyres for Automotive Vehicles shall make an application to



the Bureau for obtaining licence for use of the Standard Mark., if not already obtained.

(2) The grant of licence by the Bureau for use of the Standard Mark shall be as per provisions of the Act and the rules and regulations made there under.

(3) When any person by himself or through any other person on his behalf proposes to manufacture Pneumatic Tyres for Automotive Vehicles, he shall commence production only after obtaining a valid licence from the Bureau for the use of standard mark.

(4) Information relating to expiry or cancellation of any licence or rejection of application for grant of licence by the Bureau for manufacture of Pneumatic Tyres for Automotive Vehicles shall be intimated to the appropriate authority and displayed on BIS website

5. Power to call for information etc: - The Appropriate Authority may, with a view to secure compliance with this Order:

(1) require any person engaged in the manufacture, import, storage for sale, sale or distribution of Pneumatic Tyres for Automotive Vehicles to give such information as it deems necessary in relation to the manufacture, import, storage for sale, sale or distribution of Pneumatic Tyres for Automotive Vehicles or require any such person to furnish to it samples of such Pneumatic Tyres;

(2) inspect or cause to be inspected any book or other document or Pneumatic Tyres for Automotive Vehicles kept by or belonging to or in possession or under the control of any person engaged in the

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manufacture, import, storage for sale, sale or distribution of such Pneumatic Tyres.

6. Testing of samples:- Samples of Pneumatic Tyres for Automotive Vehicles bearing the Standard Mark and drawn by the Appropriate Authority for ascertaining whether they are of the Specified Standard, shall be tested in the laboratory approved by the Bureau and in the manner as may be determined by the Bureau.
7. Power to issue directions to manufacturers, importers and dealers or sellers:- the Appropriate Authority may issue such directions to manufacturers, importers and dealers or sellers, consistent with the provisions of the Act or this Order, as may be necessary for carrying out the purposes of this Order.
8. Compliance of directions: - Every person engaged in the manufacture, import, storage for sale, sale or distribution of any Pneumatic Tyre for Automotive Vehicles to whom any direction is issued under this Order, shall comply with such direction.
9. Obligation to furnish information:- No manufacturer, importer, dealer or seller shall, with intent to evade the provisions of this Order, refuse to give any information lawfully demanded from him under clause 5 or conceal, destroy, mutilate or deface any book or document or any Pneumatic Tyre for Automotive Vehicles kept by, or in the possession or control of such person.



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**SCHDULE**  
(See clause 2e)

Sl. No. (1)	Item (2)	Indian Standard (3)
1	Automotive vehicles - Pneumatic tyres for two and three-wheeled motor vehicles - Specification	IS 15627
2	Automotive vehicles - Pneumatic tyres for passenger car vehicles - Diagonal and radial ply - Specification	IS 15633
3	Automotive vehicles - Pneumatic tyres for commercial vehicles - Diagonal and radial ply - Specification	IS 15636
4	Automotive vehicles - Tubes For Pneumatic Tyres - Specification	IS 13098