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Government of India

Ministry of Chemicals and Fertilizers

Department of Chemicals and Petrochemicals

ORDER

New Delhi, the .....2016

S.O-----.- 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** .- (1) This order may be called the **Textiles-High Density Polyethylene and Polypropylene Woven Sacks for Packaging or Filling (Quality Control) Order, 2016.**

(2) This Order shall come into force on the expiry of one hundred eighty days from the date of its publication in the Official Gazette.

2. **Definitions** .- (1) 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 . -

(i) an Officer not below the rank of an Under Secretary to the Government of India in the Department of Chemicals and Petrochemicals under the Union Ministry of Chemicals and Fertilizers.

(ii). the General Manager of the District Industries Centers of the State Government; and

(iii). the Director or, as the case may be, Commissioner of Industries of the State Government or Union territory administration);

(c) "Bureau" means the Bureau of Indian Standards;

(d) "High Density Polyethylene" or "Polypropylene Woven Sacks for Packaging or Filling" means the items specified in column (3) of the Schedule;

(e) "dealer", means a person who, or a firm, or a Hindu undivided family or a company or a cooperative society or any other legal entity which carries on, directly or otherwise, the business of buying, selling, supplying or distributing High Density Polyethylene or Polypropylene Woven Sacks for Packaging or Filling, whether in cash or for deferred payment or for commission, remuneration or other valuable consideration;

(f) "manufacturer" means a person who, or a firm or a Hindu undivided family or a company or cooperative society or any other legal entity which, produces, makes or manufacturers High

Density Polyethylene or Polypropylene Woven Sacks for Packaging or Filling and includes a person who, or such firm, Hindu undivided family, a company or cooperative society or any other legal entity which, claims such High Density Polyethylene or Polypropylene Woven Sacks for Packaging or Filling to be produced made or manufactured by any such person or firm or Hindu undivided family or company or cooperative society or any other legal entity, as the case may be;

(g) "Schedule" means the Schedule annexed to this Order;

(h) "specified standards", in relation to High Density Polyethylene or Polypropylene Woven Sacks for Packaging or Filling, means the Indian Standards as specified in the corresponding entry in column (2) of the Schedule;

(i) "State Government" in relation to a Union territory means the Administrator thereof;

(j) "Standard Mark" means the Bureau of Indian Standards Certification Mark specified under of Act, by the Bureau to represent a particular Indian Standard;

(k) "importer" means a person, or a firm or other legal entity that imports High Density Polyethylene or Polypropylene Woven Sacks for Packaging or Filling or causes its imports from a foreign country into India;

(l) "exporter" means a person, or a firm or other legal entity that exports High Density Polyethylene or Polypropylene Woven Sacks for Packaging or Filling from India to any other country;

(m) "ITC (HS) Code", in relation to High Density Polyethylene or Polypropylene Woven Sacks for Packaging or Filling, means the Indian Trade classification (Harmonised Systems) codes as specified in the corresponding entry in column (4) of the Schedule;

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

**3. Prohibition of manufacture, sale, distribution etc.**— (1) No person shall by himself or through any person on his behalf, manufacture, import, store for sale, sale or distribute High Density Polyethylene or Polypropylene Woven Sacks for Packaging or Filling specified in column (3) of the Schedule in any form which does not conform to the specified standard and do not bear the Standard Mark of the Bureau:

Provided that nothing in this sub-paragraph shall apply in relation to High Density Polyethylene or Polypropylene Woven Sacks for Packaging or Filling required for export conforming to specifications required by the foreign buyer as supported by proper documentation for confirmed export order.

(2) The sub-standard or non-conforming High Density Polyethylene or Polypropylene Woven Sacks for Packaging or Filling which do not conform to the specified standards shall be deformed by the manufacturer within three months in a way that they cannot be used for packaging or filling.

**4. Obligation for certification.**— (1) Every manufacturer of High Density Polyethylene or Polypropylene Woven Sacks for Packaging or Filling shall make an application to the Bureau for obtaining license for use of the Standard Mark within a period of six months from the date of coming into force of this Order, if not already obtained.

(2) The Bureau shall grant license for use of the Standard Mark in accordance with the provisions of the Act, and the rules and regulations made thereunder.

(3) No person shall commence manufacture of High Density Polyethylene or Polypropylene Woven Sacks for Packaging or Filling without obtaining a license under section 15 of the Act for the use of the Indian Standards Certification Mark of the Bureau.

(4) The Bureau shall notify the expiry of any license or cancellation thereof for High Density Polyethylene /Polypropylene Woven Sacks for Packaging or Filling and be placed on the website of the Bureau.

**5. Power to call for information, etc.**— (1) The appropriate authority may, with a view, to ensuring compliance with the provision of this Order.-

(a) require any manufacturer, dealer, seller, importer or exporter to give such information as he deems necessary relating to the manufacture, import, storage for sale, sale or distribution of High Density Polyethylene or Polypropylene Woven Sacks for Packaging or Filling in any form for ensuring the implementation of this Order or require any such manufacturer, dealer, seller, importer or exporter to furnish to him samples of any High Density Polyethylene or Polypropylene Woven Sacks for Packaging or Filling;

(b) inspect or cause to be inspected any book or other documents or High Density Polyethylene or Polypropylene Woven Sacks for Packaging or Filling kept by, or belonging to, or in the possession or under the control of, any manufacturer, dealer, seller, importer or exporter;

(c) enter and search any premises and seize any High Density Polyethylene or Polypropylene Woven Sacks for Packaging or Filling in any form in respect of which it has reasons to believe that a contravention of this Order has been committed or the said High Density Polyethylene or Polypropylene Woven Sacks for Packaging or Filling is not of the specified standard;

(2) No manufacturer, dealer, seller, importer or exporter shall refuse to furnish any information or conceal, destroy, mutilate or deface any book, document or High Density Polyethylene or Polypropylene Woven Sacks for Packaging or Filling kept in his possession or under his control.

(3) The provisions of the Code of Criminal Procedure, 1973 (2 of 1974) relating to search and seizures shall, so far as may be, apply to search and seizure under this paragraph.

**6. Testing of samples.**— Samples of any High Density Polyethylene or Polypropylene Woven Sacks for Packaging or Filling bearing the Standard Mark and drawn by the appropriate authority, for ascertaining, whether it conforms to the specified standards, shall be tested in the laboratory, recognised by the Bureau.

7. **Power to issue directions.**— (1) The appropriate authority may issue such directions to manufacturers, dealers, sellers, importers or exporters, consistent with the provisions of the Act or this Order, as may be necessary, for carrying out the provisions of this Order.

(2) Every manufacturer, dealer, seller, importer or exporter to whom any direction is issued under sub-paragraph (1), shall comply with such direction.

#### THE SCHEDULE

[See paragraph 2 (d), (g), (h) and (m)]

List of High Density Polyethylene or Polypropylene Woven Sacks for Packaging or Filling under compulsory Bureau of Indian Standards product certification

S. No.	Indian Standards Number	Title	ITC (HS) Code
(1)	(2)	(3)	(4)
1.	IS 14887	Textiles – High Density Polyethylene (HDPE)/ Polypropylene (PP) Woven Sacks for packaging of 50 kg Foodgrains	39232100/39232990
2.	IS 16208	Textiles – High Density Polyethylene (HDPE)/ Polypropylene (PP) Woven Sacks for packaging 10kg., 15 kg, 20 kg, 25 kg, and 30 kg Foodgrains	39232100/39232990
3.	IS 14968	Textiles – High Density Polyethylene (HDPE)/ Polypropylene (PP) Woven Sacks for packaging 50 kg/25 kg Sugar	39232100/39232990
4.	IS 14252	Textiles – High Density Polyethylene (HDPE)/ Polypropylene (PP) Woven Sacks for filling Sand	39232100/39232990

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(Avinash Joshi)

Joint Secretary to the Govt. of India