

**BUREAU OF INDIAN STANDARDS
(DELHI BRANCH OFFICE-II)****REPORT OF SEARCH & SEIZURE Operation dated 11/09/2024****Ref: DLBO-II/ENF****Dated: 20/09/2024**

1	Reference No. of Enf. Deptt (HQ) if available	DLBO-II/ENF
2	Name and Address of the firm raided	M/s Elcotek India Pvt. Ltd, Shop No-318, Network Plaza, Gali No-17, Karol Bâgh, New Delhi- 110020
3	Date of discrete investigation	14/08/2024
4	Brief of discrete investigation	A discreet visit dated 14.08.2024 was carried out at the said location. During the visit, efforts were made to purchase the product (Li-ion battery) under complaint. However, the same was denied by the shopkeeper saying that the product is only available via online purchase. It was also confirmed that the said location is a dispatch point for the online platform (maxbhi.com). Also, packing materials with branding of online platform was also observed during the visit.
5	Date of search & seizure	11/09/2024
6	Team Members	1. Himanshu Meena, Scientist C -Team Leader (DLBO-II) 2. Aakash Singh, Scientist B (DLBO-II) 3. Diwakar Raj, DEO (DLBO-II) 4. Pradeep, DEO (DLBO-II) 5. Vishal, MTS (DLBO-II) (Authority letter enclosed – Annex I)
7	Details of Police Personnel	1- Sh. Veerpal (1389 IC) (ASI) 2- Sh. Amit Kumar (Head Constable) (Attendance Sheet enclosed – Annex II)
8	Type of Violation (ref EM-94)	Violation of Section 17(1) & 17(3) of BIS Act, 2016 (Prohibition to manufacture, sell, etc. certain goods without Standard Mark)
9	Provisions Violated	Section 17(1) & 17(3) of BIS Act, 2016
10	Person(s) Contacted	Sh. Anil Kumar, Employee of the shop.
11	Details observations and activities observed at the time of visit	The search & seizure operation was carried out at the above-mentioned address. During search and seizure operation following observations were made- M/s Elcotek India Pvt. Ltd, Delhi was selling Portable lithium batteries with cancelled, spurious and without CRS mark which is a violation of Section 17(1) & 17(3) of BIS Act 2016 and Electronics and Information Technology Goods (Quality Control) Order, 2021.

12	Means adopted for misuse i.e Stencil/stamping/stickers	Marking (Printing) Please refer Seizure Memo. ref DLBO-II/ENF dated 11.09.2024 (Annex III)
13	Total quantity of material available which considered to have Misuse	Following Portable lithium batteries have been seized and sealed which are found misusing CRS mark during the search and Seizure - 1 - Portable Lithium Battery with R-91001546 (170 pcs) (BN4A) 2 - Portable Lithium Battery with R-41018090 (100 pcs) (BN4A) 3 - Portable Lithium Battery with R-41067903 (30 pcs) (BN4A) 4 - Portable Lithium Battery with R-41074721 (4 pcs) (B-E1) 5 - Portable Lithium Battery with R- 41021741 (3 pcs) 6 - Portable Lithium Battery without CRS mark (121 pcs) 7 - Portable Lithium Battery with spurious CRS mark (9 pcs) 8 - Portable Lithium Battery with CRS2020-1368 & R- 41158151 (100pcs) (BM4E) 9 - Portable Lithium Battery with CRS2020-1368 & R- 41068802 (10 pcs) Out of above, 2 Nos. each from s. No. 1 to 4, 1 Nos form S.No 5, 4 Nos from S.No 6, 2 Nos. each from S.No 8 to 9, 1 No. from S.No 7, have been taken as evidence & sealed with sample [Coded as DLBO-II/70581/20240911/ES/1] (Annex III)
14	Detailed of material seized and sealed during raid	Following Portable lithium Batteries have been seized and sealed which are found misusing CRS mark during the search and Seizure: - 1 - Portable Lithium Battery with R-91001546 (168 pcs BN4A) 2 - Portable Lithium Battery with R-41018090 (98 pcs BN4A) 3 - Portable Lithium Battery with R-41067903 (28 pcs BN4A) 4 - Portable Lithium Battery with R-41074721 (2 pcs B-E1) 5 - Portable Lithium Battery with r- 41021741 (2 pcs) 6 - Portable Lithium Battery without CRS mark (117 pcs) 7 - Portable Lithium Battery with spurious CRS mark (8 pcs) 8 - Portable Lithium Battery with CRS2020-1368 & R- 41158151 (98pcs BM4E) 9 - Portable Lithium Battery with CRS2020-1368 & R- 41068802 (8 pcs) The above material was sealed with code (DLBO-II/70581/20240911/ES/2) & left with the firm as superdari. (Annex IV)
15	Detailed of seized material left with the firm, if any, under Superdari (refer Sec 28(2) of BIS Act 2016)	Following Portable lithium Batteries have been seized and sealed which are found misusing CRS mark during the search and Seizure: - 1 - Portable Lithium Battery with R-91001546 (168 pcs BN4A) 2 - Portable Lithium Battery with R-41018090 (98 pcs BN4A) 3 - Portable Lithium Battery with R-41067903 (28 pcs BN4A) 4 - Portable Lithium Battery with R-41074721 (2 pcs B-E1) 5 - Portable Lithium Battery with r- 41021741 (2 pcs) 6 - Portable Lithium Battery without CRS mark (117 pcs) 7 - Portable Lithium Battery with spurious CRS mark (8 pcs) 8 - Portable Lithium Battery with CRS2020-1368 & R- 41158151 (98pcs BM4E) 9 - Portable Lithium Battery with CRS2020-1368 & R- 41068802 (8 pcs) The above material was sealed with code (DLBO-II/70581/20240911/ES/2) & left with the firm as superdari. (Annex IV)
16	Name and address of the person responsible	Sh. Naman Agarwal, Owner of the shop. House number- KM-47, Kavi Nagar, Ghaziabad Hapur, UP-201001 (Aadhar Card Owner attached - Annex V)

17	Linkages of available documentary evidence of raided premises with person responsible for misuse	1- GST Certificate of M/s Elcotek India Pvt. Ltd. (Annex VII)
18	Name address of independent witnesses	Neeraj, B-547, Nihal Vihar, Nangloi Bhanu, 4898, Paharganj
19	Purchase documents in case of dealer/trader	NA
20	Follow-up taken with other BOs linked in the case	NA
21	Supporting documentary evidence	1- Aadhar Card of Sh. Naman Agarwal, Owner of the shop. (Annex V) 2- PAN Card of Sh. Naman Agarwal, Owner of the shop. (Annex VI) 3- GST Certificate of M/s Elcotek India Pvt. Ltd. (Annex VII)
22	Other Information	NA
23	Conclusion	Search & Seizure operation was successful at the M/s Elcotek India Pvt. Ltd. The said firm was selling Portable lithium batteries without CRS Mark which is a violation of Section 17(1) & 17(3) of BIS Act 2016 and Electronics and Information Technology Goods (Quality Control) Order, 2021
24	Recommendations of the Raid team	As per Cl.7.10.2 of Guidelines for Enforcement Activity, Ref - CMED/GEN/5 dated 26 May 2023, a notice (Annex - VIII) as per Form-I was issued to M/s Elcotek India Pvt. Ltd. during the search and seizure. The party has communicated to BIS via letter dated 14.09.2024 which is found unsatisfactory as they are unable to provide link to another party. As per Cl.7.10.3 of Guidelines for Enforcement Activity, Ref - CMED/GEN/5 dated 26 May 2023, it is recommended that legal prosecution for the violation, action for violation of Section 17(3) may be initiated against M/s Elcotek India Pvt. Ltd.

Himanshu Meena
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Aakash Singh
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