

**BUREAU OF INDIAN STANDARDS**  
**(Legal Department)**

Our Ref: LAW/9/272/2018

Date: 06 February 2020

**Subject: Clarification for dealing with the applications for compounding under Section 30 and Section 33 of the Bureau of Indian Standards Act, 2016**

This has reference to Section 30 and Section 33 of the Bureau of Indian Standards Act, 2016, concerning the offences by companies and provisions for compounding of offence respectively.

2. In this context, it is clarified that in case of offence by a Company or a firm for contravention of the provisions of the BIS Act, 2016, those persons who were in-charge of and responsible for the conduct of the business of the company at the time of commission of an offence or who were authorised representatives of the company or the partners or proprietor of the firm, shall be liable for the violation, in addition to the company or firm, due to the deeming clause under Section 30 of the BIS Act, 2016. Each case is to be considered separately taking into account the facts and circumstances of the matter. However, the compounding amount payable by the Company as well as by the officers, or the firm as well as its partners or proprietor, shall not exceed the maximum amount of fine provided under Section 29, due to the proviso to Section 33 (1) of the BIS Act, 2016.

3. All Heads of ROs/BOs are requested to deal with the applications for compounding, according to the clarification at Para-2 above.

4. This issues with the approval of the Director General of the Bureau.

*06/02/2020*  
(Kulvinder Kumar Chawla)  
Director (Legal)

Circulated to all Heads of Departments at HQs/ ROs/ BOs/Labs/NITS through Intranet of the Bureau

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06/02/2020