

EXPORT OF BICYCLES (QUALITY CONTROL AND INSPECTION) RULES, 1967

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EXPORT OF BICYCLES (QUALITY CONTROL AND INSPECTION) RULES, 1967

S.O. 4337, dated 5th December, 1967.-In exercise of the powers conferred by Sec. 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby makes the following rules, namely:-

1. Short title and commencement :-

- (1) These rules may be called the Export of Bicycles (Quality Control and Inspection) Rules, 1967.
- (2) They shall come into force on 1st February, 1968.

2. Definitions :-

In these rules, unless the context otherwise requires,-

- (a) "Agency" means any one of the Export Inspection Agencies established at Cochin, Madras, Calcutta, Bombay and Delhi under Sec. 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963);
- (b) "Bicycle" shall mean a two or three-wheeled vehicle having a tandem arrangement of wheels, a saddle for the rider, a steering handle and crank for its propulsion by the feet of the rider and shall include the spare parts, components and accessories of such bicycle.

3. Quality control and inspection :-

(1) The quality of the bicycles intended for export shall be ensured by exercising the following controls at different stages of their manufacture, together with the levels of control as given in the Annexure hereto, namely :-

(i) Bought out Materials and Components Control.-

(a) Purchase specifications shall be laid down by the manufacturer incorporating the properties of materials or components to be used and the detailed dimensions thereof with tolerance.

(b) The accepted consignments shall be either, accompanied by a supplier's test or inspection certificate corroborating the requirements of the purchase specification, in which case occasional checks shall be conducted by the purchaser for a particular supplier to verify the correctness of the aforesaid test or inspection certificates, or the purchased materials or components shall be regularly inspected or tested either in a laboratory within the factory or in some other laboratory or test house.

(c) The sampling for inspection or test to be carried out, shall be based on a recorded investigation.

(d) After the inspection or test is carried out, systematic methods shall be adopted in segregating the accepted and rejected materials or components and for disposal of rejected materials or components.

(e) Records in respect of the controls exercised shall be regularly and systematically maintained.

(ii) Process Control-

(a) Detailed process specifications, for forging, brazing, machining, electroplating, painting heat treatment and other operations shall be laid down by the manufacturer for different processed products.

(b) Equipments, instrumentation and facilities shall be adequate to control the process as laid down in the process specifications.

(c) Records shall be maintained to enable the verification of the controls exercised during the process of manufacture.

(iii) Product Control.-

(a) The manufacturer shall either have his own adequate testing facilities or shall have access to such testing facilities to test the

product as per the specification recognised under Sec. 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963).

(b) Sampling for testing shall be based on a recorded investigation.

(c) Adequate records in respect of tests carried out shall be regularly and systematically maintained.

(iv) Packing Control.-A packing specification safeguarding against adverse effects of weather condition shall be laid down with a view to satisfying the requirements mentioned in the Annexure annexed hereto for packing the aforesaid product.

(2) Inspection.-The inspection of bicycles intended for export shall be carried out with a view to seeing that the aforesaid controls have been exercised at the relevant levels satisfactorily and that the bicycles conform to the standard specifications applicable to it.

4. Procedure of inspection :-

(1) The exporter shall give intimation in writing to anyone of the Agencies recognised under Sec. 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), and submit along with such intimation a declaration that the consignment of bicycles has been or is being manufactured by exercising quality control measures as provided under rule 3 and that the consignment conforms to the requirements of the specifications recognised for the purpose.

(2) The exporter shall also furnish to the Agency the identification marks applied on the consignment.

(3) Every intimation and declaration under sub-rule (1) shall reach the Agency not less than seven days prior to the despatch of the consignment from the premises of the exporter or manufacturer.

(4) On receipt of the intimation and declaration under sub-rules (1) and (2), the agency:

(a) in the case of an exporter who is himself the manufacturer on satisfying itself that during the process of manufacture he had exercised adequate quality control as provided under rule 3 and the instructions, if any, issued by the Export Inspection Council in this regard to manufacture the product according to the standard specifications applicable to it, shall within three days, issue a certificate declaring the consignment of bicycles as export-worthy;

(b) in the case of an exporter who is not himself the manufacturer on satisfying itself that during the process of manufacture the manufacturer had exercised adequate quality control as provided under rule 3 and the instructions, if any, issued by the Export Inspection Council in this regard to manufacture the product according to the standard specifications applicable to it, shall within three days of carrying out the inspection, issue a certificate declaring the consignment of bicycles as export-worthy;

1 [Provided that where the agency is not so satisfied, it shall within the said period of three days refuse to issue such certificate and communicate such refusal to the exporter along with the reasons therefor.]

1. Inserted by S.O. 449, dated 17th February, 1973.

5. Affixation of recognised mark and procedure thereof :-

The provisions of Standard Institution (Certification Marks) Act, 1952 (36 of 1952) the Standards Institution (Certification Marks) Rules, 1955 and the Indian Standards Institution (Certification Marks) Regulations, 1955 shall, so far as may be, apply in relation to the procedure of affixation of the recognised mark or seal on bicycles meant for export denoting its conformity to the standard specifications and bicycles so marked shall not be subject to any inspection under rule 4 of these rules.

6. Place of inspection :-

Inspection under these rules shall be carried out at the premises of the manufacturer or the exporter at the port of shipment.

7. Inspection fee :-

1 Subject to a minimum of rupees ten, a fee at the rate of 20 paise for every hundred rupees of F.O.B. value of each consignment shall be paid by the exporter to the Agency as inspection fee.]

1. Subs by S.O.3427, dated 25th September, 1976

8. Appeal :-

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(1) Any person aggrieved by the refusal of the inspection agency to issue a certificate under sub-rule (4) of rule 4, may, within ten days of the receipt of the communication of such refusal by him, prefer an appeal to a panel of experts consisting of not less than three but not more than seven persons, appointed for the purpose by the Central Government.

- (2) At least two-thirds of the total membership of the panel of experts shall consist of non-officials.
- (3) The quorum for the panel shall be three.
- (4) The decision of the panel on such appeal shall be final.
- (5) The appeal shall be disposed of within 15 days of its receipt.]

1. Subs by S.O.3364, dated 21th September, 1976