

EXPORT OF DIESEL ENGINES (QUALITY CONTROL AND INSPECTION) RULES, 1967

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EXPORT OF DIESEL ENGINES (QUALITY CONTROL AND INSPECTION) RULES, 1967

S.O. 3207, dated 7th September, 1967 1.- 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 Diesel Engines (Quality Control and Inspection) Rules, 1967.
- (2) They shall come into force on 3rd October, 1967.

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 Export (Quality Control and Inspection) Act, 1963(22 of 1963);

(b) 'Diesel engines' shall mean any reciprocating internal combustion engine in which ignition of the liquid fuel injected into the cylinder of the engine is performed by the heat of compression of air charge and the energy release takes place within the engine itself and shall include its spares, components and accessories essential for the functioning of the engine only.

3. Quality control :-

(1) The quality of the diesel engines intended for export shall be ensured by effecting the following controls, at different stages of manufacture together with the levels of control as given in the Annexure hereto.

(i) Bought out materials and Components Control.-

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

(b) The accepted consignments shall be either, accompanied by a supplier's test/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/inspection certificates, or the purchased materials/components shall be regularly inspected/ tested either in a laboratory/ within the factory or in an outside laboratory/ test house.

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

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

(e) Adequate records in respect of the above mentioned controls shall be regularly and systematically maintained.

(ii) Process Control.-

(a) Detailed process specifications shall be laid down by the manufacturer for different processes of manufacture. (b) Equipments/ instrumentation and facilities shall be adequate to control the processes as laid down in the process specifications.

(c) Adequate records shall be maintained to ensure the possibility of verifying 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 existing elsewhere 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 (wherever required) 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) Preservation Control.-

(a) A detailed specification shall be laid down by the manufacturer to safeguard the product from adverse effects of weather conditions.

(b) The product shall be well preserved both during storage and during transit. (v) Packing Control.- A specification shall be laid down for packing the aforesaid product.

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

4. Procedure of inspection :-

(1) The exporter shall give intimation in writing to any 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 diesel engines has been manufactured or is being manufactured by exercising quality control measures as per controls referred to 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 office of the agency not less than seven days prior to the despatch of the consignment from the manufacturer's or exporter's premises.

(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 diesel engines 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 diesel engines as export-worthy:

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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.

5. Affixation of recognised mark and procedure thereof :-

The provisions of the Indian Standards Institution (Certification Marks) Act, 1952 (36 of 1952), the Indian Standards Institution (Certification Marks) Rules, 1955 and the Indian Standard 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 diesel engines prior to export and diesel engines so marked shall not be subjected to any inspection under rule 4 of these rules.

6. Place of inspection :-

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

7. Inspection fee :-

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.]

8. Appeal :-

(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.]