

EXPORT OF DOMESTIC REFRIGERATORS (QUALITY CONTROL AND INSPECTION) RULES, 1974

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EXPORT OF DOMESTIC REFRIGERATORS (QUALITY CONTROL AND INSPECTION) RULES, 1974

S.O. 2351, dated 14th September, 1974 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 Domestic Refrigerators (Quality Control and Inspection) Rules, 1974.
- (2) They shall come into force on 14th October, 1974.

2. Definitions :-

In these rules, unless the context otherwise requires-

- (a) "Act" means the Export (Quality Control and Inspection) Act, 1963 (22 of 1963);
- (b) "agency" means any one of the Export Inspection Agencies established at Cochin, Madras, Calcutta, Bombay and Delhi under Sec. 7 of the Act;
- (c) "domestic refrigerator" means a complete unit comprising of a refrigerating system and insulated storage or freezing compartments of the capacity up to and including 350 litres for preserving or maintaining contents primarily for domestic use at a low degree of temperature.

3. Quality control and inspection :-

(1) The quality of the domestic refrigerators shall be ensured by exercising the controls at different stages of manufacture specified in sub-rule (2) together with the levels of controls specified in the Tables annexed to these rules.

(2) The controls at different stages of manufacture mentioned in sub-rule (1) are the following controls, 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 tolerances.

(b) The accepted consignments shall be either accompanied by a producer's test certificate corroborating the requirements of the purchase specifications or in the absence of such test certificates, samples from each consignment shall be regularly tested to check up its conformity to the purchase specifications. The producer's test certificates shall be counterchecked at least once in five consignments to verify the correctness.

(c) The incoming consignments shall be inspected and tested for ensuring conformity to the purchase specifications against statistical sampling plan.

(d) After the inspection and tests are carried out, systematic methods shall be adopted for proper segregation and disposal of defectives.

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

(ii) Process control:-

(a) Detailed process specifications shall be laid down by the manufacturers for various processes of manufacture.

(b) Equipment/instrumentation facilities shall be adequate to control the processes as laid down in the process specifications.

(c) Adequate 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 testing facilities or shall have access to such testing facilities existing elsewhere to test the product as per the standard specification Adequate records thereof shall be maintained

(b) Each and every assembly shall be checked against a laid down inspection check list.

(vi) Meteorological control - Gauges and instruments used in the production and inspection shall be periodically checked/calibrated and records shall be maintained in the form of history cards.

(v) Packing Control - The manufacturer shall lay down a detailed packing specification for export packages and would strictly adhere to the same.

(3) Inspection - The inspection of domestic refrigerators 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 the domestic refrigerators conform to the standard specifications.

4. Procedure of inspection :-

(1) The exporter intending to export a consignment of domestic refrigerators shall give intimation in writing to the agency indicating the details of the contractual specification and submit along with such intimation a declaration that the consignment of domestic refrigerators intended for export has been manufactured by exercising quality controls laid down in rule 3, and that the consignment conforms to the requirements of the specification recognised for this purpose The exporter shall at the same time endorse a copy of such intimation to the nearest office of the Export Inspection Council The addresses of the Council are as under

Head Office Export Inspection Council, 'World Trade Centre', 14/1B, Ezra Street, 7th floor, Calcutta 1 Regional Offices 1 Export Inspection Council, Aman Chambers, 4th floor, 113, Maharshi Karve Road, Bombay-4

2. Export Inspection Council, Manohar Buildings, Mahatma Gandhi Road, Ernakulam, Cochin-11

3. Export Inspection Council, 13/37, Western Extension Area, Arya Samaj Road, New Delhi-5

(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 and the Export Inspection Council not less than ten days prior to the dispatch of the consignment from the premises of the manufacturer

(4) On receipt of the intimation and declaration under sub-rules (1) and (2), the agency, on satisfying itself that during the process of manufacture, adequate quality controls as provided in rule 3 have been exercised and the instructions, if any, issued by the Export Inspection Council in this regard, have been observed, shall carry out the inspection of domestic refrigerators to ensure conformity of the consignment to the recognised specification and the exporter shall provide all necessary facilities to the agency to enable it to carry out such inspection.

(5) After completion of inspection, the agency shall immediately seal the consignment of domestic refrigerators in a manner as to ensure that the goods cannot be tampered with. In case of rejection of a consignment, if the exporter so desires, the consignment may not be sealed by the agency. In such cases, however, the exporter shall not be entitled to prefer an appeal against the rejection.

(6) When the agency is satisfied that the consignment of domestic refrigerators complies with the requirements of the recognised specification it shall within ten days of the receipt of intimation and declaration under sub-rule (3) issue, a certificate to the exporter declaring that the consignment satisfies the conditions relating to quality control and inspection and is export-worthy:

Provided that where the agency is not so satisfied, it shall within the said period often days refuse to issue such certificate and communicate such refusal to the exporter along with the reasons therefore.

5. Place of inspection :-

Inspection under these rules shall be carried out at the premises of the manufacturer.

6. Inspection fee :-

Subject to a minimum of rupees one hundred, a fee at the rate of fifty paise per every hundred rupees of the f.o.b. value shall be paid by the exporter to the agency as inspection fee for one or

more consignment offered at one time and at one premises.

7. Appeal :-

(1) Any person aggrieved by the refusal of the agency to issue a certificate under sub-rule (6) of rule 4, may, within 10 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 3 persons, appointed for the purpose by Central Government.

(2) The panel will consist of at least two-third of non-officials of the total membership of the panel of experts.

(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 fifteen days of its receipt.