

## **EXPORT OF ELECTRIC LAMPS AND TUBES (QUALITY CONTROL AND INSPECTION) RULES, 1978**

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## **EXPORT OF ELECTRIC LAMPS AND TUBES (QUALITY CONTROL AND INSPECTION) RULES, 1978**

S.01609, dated 3rd June, 1978 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 :-**

These rules may be called the Export of Electric Lamps and Tubes (Quality Control and Inspection) Rules, 1978.

(2) They shall come into force on the date of their publication in the Official Gazette.

### **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 agencies established at Cochin, Madras, Calcutta, Bombay and Delhi under Sec. 7 of the Act;

(c) "Electric Lamps and Tubes" shall mean all types of incandescent, fluorescent lamps, mercury vapour, neon (etc.) lamps.

### **3. Quality control :-**

The quality of the Electric Lamps and Tubes 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 Table annexed 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 shall have adequate means of inspection or testing to ensure conformity of the incoming lots.

(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 (that is to say once in each quarter of the year for the same supplier of the same material) shall be conducted by the manufacturer for a particular supplier to verify the correctness of the aforesaid test on inspection certificates, or the materials or components shall be regularly inspected or tested either in a laboratory in 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 in disposal of rejected materials or components.

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

(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 process as laid down in the process specification.

(c) Adequate records shall be maintained by the manufacturer 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 specifications recognised under Sec. 6 of the Act.

(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 by the manufacturer.

(iv) Preservation Control-

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

(b) The product shall be well preserved both during storage and transit.

(v) Meterological Control- Gauges and instruments used in the production and inspection shall be periodically checked or calibrated and records shall be maintained by the manufacturer in the form of history cards.

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

#### **4. Basis of inspection :-**

Inspection of Electric Lamps and Tubes intended for export shall be carried out with a view to seeing that the same conform to the specifications recognised by the Central Government under Sec. 6 of the Act, by ensuring that during the process of manufacture the quality control measures as specified in rule 3 have been exercised.

#### **5. Procedure of inspection :-**

(1)

(i) The exporter shall give intimation in writing to any agency and submit alongwith such intimation a declaration that the consignment of Electric Lamps and Tubes has been 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.

(ii) The exporter at the same time shall endorse a copy of such intimation to the nearest office at the Council.

(iii) The address of the Council offices are as under : Head Office: Export Inspection Council, "World Trade Centre", 14/1 B, Ezra Street (7th Floor), Calcutta-700001. Regional Offices :

(i) Export Inspection Council, Aman Chambers(4th Floor), 113,M-KarveRoad, Bombay-400004.

(ii) Export Inspection Council, Manohar Buildings, Mahatma Gandhi Road, Ernakulam, Cochin-682011.

(iii) Export Inspection Council, Municipal Market Building, Saraswati Marg, Karol Bagh, New Delhi-110005.

(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 three days prior to the despatch of the consignment from the manufacturer's premises or exporter's premises.

(4) On receipt of the intimation and declaration under sub-rule (1) the agency shall-

(a) in case of an exporter who himself is the manufacturer, on satisfying itself that during the process of manufacture he had exercised adequate quality control as provided under rule 3, and instructions if any, issued by the Council in this regard manufactured the product according to the standard specifications applicable to it;

(b) in case of an exporter who is not himself the manufacturer on satisfying itself that during the process of manufacture had exercised adequate quality control as provided under rule 3 and the instructions, if any, issued by the Council in this regard, to manufacture the product according to the standard specifications applicable to it;

(c) within seven days of carrying out inspection, issue a certificate declaring the consignment of Electric Lamps and Tubes as exportworthy :

Provided that where the agency is not so satisfied it shall within the said period of seven days refuse to issue such certificate and

communicate such refusal to the exporter alongwith the reasons therefor.

(5)

(i) in the case referred to in clause (b) of sub-rule 4, after completion of inspection the agency shall immediately seal the packages in the consignment in a manner so as to ensure that the sealed goods cannot be tampered with.

(ii) in case of rejection of the consignment, if the exporter so desires, the consignment may not be sealed by the agency and in such case, however, the exporter shall not be entitled to prefer an appeal against the rejection.

**6. Place of inspection :-**

Inspection of Electric Lamps and Tubes for the purpose of these rules shall be carried out at the premises of the manufacturer only.

**7. Inspection fee :-**

A fee at the rate of thirty paise for every hundred rupees of F. O. B. value subject to a minimum of rupees fifty for 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 agency to issue a certificate under sub-rule 4 of rule 5, 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 on non-officials.

(3) The quorum for the panel shall be three.

(4) The appeal shall be disposed of within 15 days of its receipt.