

EXPORT OF GUM KARAYA (INSPECTION) RULES, 1979

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EXPORT OF GUM KARAYA (INSPECTION) RULES, 1979

S.O. 3320, dated 29th September, 1979- 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 Gum Karaya (Inspection) Rules, 1979.
- (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 of the agencies established at Bombay, Calcutta, Cochin, Delhi and Madras under Section 7 of the Act;
- (c) "gum karaya" means the gum obtained from the plant *sterculia urens*.

3. Basis of inspection. :-

The quality control and inspection of gum karaya shall be carried out with a view to seeing that the same conforms to the specifications recognised by the Central Government under Section

6 of the Act.

4. Procedure of inspection. :-

(1) An exporter intending to export gum karaya shall give intimation in writing of his intention to do so to the agency and submit alongwith such intimation a declaration that the consignment of gum karaya has been prepared in accordance with rule 3 and that the consignment conforms to the requirements of the specifications recognised for the purpose.

(2) Where the exporter desires that the inspection of the consignment of gum karaya to be exported may be conducted-

(a) by the agency at Bombay he shall submit the intimation under sub-rule (1) not less than three days prior to shipment;

(b) by the agency at Calcutta, Cochin, Delhi or Madras, he shall submit the intimation under sub-rule (1) not less than seven days prior to shipment.

(3) (0 On receipt of the intimation referred to in sub-rule (2), the agency shall inspect the consignment of gum karaya as per instructions issued by the Export Inspection Council in this behalf from time to time with a view to satisfying itself that the consignment has been graded and packed in accordance with rule 3.

(ii) The exporter shall provide all necessary facilities to the agency to enable it to carry out such inspection.

(4) If after inspection, the agency is satisfied that the consignment of gum karaya to be exported complies with the requirements of the specifications referred to in rule 3, the agency shall issue a certificate declaring the consignment as export-worthy,-

(i) within three days of the receipt of intimation in case of inspection conducted by the agency at Bombay, and (ii) within seven days of the receipt of intimation in case of inspection conducted by the agency at Calcutta, Cochin, Delhi or Madras :

Provided that where the agency is not satisfied, it shall within the said period of three days or seven days as the case may be, refuse to issue such certificate and communicate such refusal to the exporter alongwith the reasons thereof.

1. Published in the Gazette of India, 1979, Part II, Sec. 3("), p.

2719. (92)

5. Packing and marking. :-

5.1 Packing.-The gum karaya shall be packed in double gunny bags. Whilst the inner bag shall be clean and sound the outer bag shall be completely new.

5.2 Marking.- The outer bags shall be marked with the following information : - (i) gum karaya meant for Food and Pharmaceutical use; (ii) grade of the gum karaya; and (iii) shipping marks.

6. Place of inspection. :-

(1) Inspection for the purposes of these rules shall be carried out at the premises of the exporter where the goods are offered for inspection provided adequate facilities exist therein for inspection.

(2) In addition to the inspection at the exporter's premises, the agency may also inspect the consignment at the time of shipment in godown or at the wharf.

7. Inspection fee. :-

Subject to a minimum of Rs. 50 for each consignment, a fee at the rate of Rs. 1.50 per cent. 50 kg. or part thereof shall be paid as inspection fees under these rules.

8. Appeal. :-

(1) Any person aggrieved by the refusal of the 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) The panel shall consist of at least two-thirds of non-officials of the total membership of the panel of experts.

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

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