

EXPORT OF POWER DRIVEN PUMPS (QUALITY CONTROL AND INSPECTION) RULES, 1967

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EXPORT OF POWER DRIVEN PUMPS (QUALITY CONTROL AND INSPECTION) RULES, 1967

S. O. 3221, dated 8th 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 Power Driven Pumps (Quality Control and Inspection) Rules, 1967
- (2) The 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 the Export (Quality Control and Inspection) Act, 1963 (22 of 1963),
- (b) 'power driven pumps' shall mean a device driven by a prime mover and used for raising fluids from a lower to a higher level or for imparting energy to fluids, and shall include all its spares components and accessories.

3. Quality control and inspection :-

(1) The quality of the power driven pumps 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 tolerances

(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 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 enable the verification of the controls exercised during the process of manufacture

(m) 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 specifications 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 for packing the aforesaid product.

(2) Inspection.-The inspection of power driven pumps 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 power driven pumps conform to the standard specifications applicable to it.

4. Procedure of inspection :-

(1) The exporter shall give intimation in writing to any one of the agencies recognised under Sec. 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), and submit alongwith such intimation a declaration that the consignment of power driven pumps 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 this 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 manufacturer/exporter.

(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 power driven pumps as export-worthy;

(b) in the case of an exporter, who is not himself 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 power driven pumps 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 alongwith the reasons therefor.

1. Inserted by S.O. 445, dated 17th February, 1973.

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 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 power driven pumps meant for export denoting its conformity to the standard specifications and power driven pump so marked shall not be subjected 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 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 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 not less than three but not more than seven such experts as may be appointed by the Central Government for the purpose of hearing and deciding appeals arising out of the matters under these rules

- (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 fifteen days of its receipt.