

EXPORT OF SANITARY AND WATER FITTINGS (INSPECTION) RULES, 1978

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EXPORT OF SANITARY AND WATER FITTINGS (INSPECTION) RULES, 1978

S.O.1509, dated 27th May, 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. :-

- (1) These rules may be called the Export of Sanitary and Water Fittings (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 of the agencies established at Cochin, Madras, Calcutta, Bombay and Delhi under Sec. 7 of the Act;
- (c) "Sanitary and Water Fittings" means all types of cocks, taps, ball valves, showers roses, including all types of wall-mixers and all bath-room fittings used for water supply and sanitation purposes.

3. Basis of inspection. :-

Inspection of Sanitary and Water Fittings intended for export shall

be carried out with a view to seeing that the same conform to the standard specifications recognised by the Central Government under Sec. 6 of the Act, namely the relevant Indian Standards or the National Standards of the importing country for such Sanitary and Water Fittings.

4. Procedure of inspection. :-

(1) An exporter intending to export Sanitary and Water Fittings shall give intimation in writing of his intention so to do and submit alongwith such intimation a declaration of the specification stipulated in the export contract relating to such export to any agency to enable it to carry out the inspection in accordance with rule 3.

(2) Every intimation and declaration under sub-rule (1) shall be given not less than seven days before the scheduled date of despatch from the exporters or manufacturers' premises and copy of the intimation shall simultaneously be endorsed to any of the following offices of the Council which is nearest to the place of inspection namely:- Head Office : Export Inspection Council, "World Trade Centre", 14/1B, Ezra Street, Calcutta- 700001. Regional Office: 1. Export Inspection Council, "Aman Chambers", 4th Floor, 113, Maharshi Karve Road, Bombay-400004. 2. Export Inspection Council, "Manohar Buildings", Mahatma Gandhi Road, Ernakulam, Cochin-682011.

3. Export Inspection Council, "Municipal Market Building", (4th Floor), 3, Saraswati Marg, Karol Bagh, New Delhi-110005.

(3) On receipt of the intimation and declaration under sub-rule (1), the agency shall carry out the inspection of Sanitary and Water Fittings in accordance with rule 3 and the instructions, if any, issued by the Council from time to time in this regard.

(4) (a) After completion of the inspection, the agency shall immediately seal the packages in the consignment in a manner as to ensure that the sealed goods cannot be tampered with.

(b) In case of rejection of a consignment, if the exporter so desires, the consignment may not be sealed, stamped or stencilled by the agency and in such cases, however, the exporter shall not be entitled to prefer an appeal against rejection.

(5) When the agency is satisfied that the consignment of Sanitary

and Water Fittings complies with the requirements of the recognised specification, it shall issue within three days of completion of inspection a certificate to the exporter declaring that the consignment satisfies the conditions relating to inspection and is export-worthy:

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.

5. Place of inspection. :-

Inspection of Sanitary and Water Fittings for the purpose of these rules shall be carried out-

(a) at the premises of the manufacturer or

(b) at the premises at which the Sanitary and Water Fittings are offered for inspection by the exporter, provided adequate facilities for the purpose of inspection and testing exist therein.

6. Inspection fee. :-

Subject to minimum of rupees fifty for each consignment, a fee at the rate of fifty paise for every Rs. 100 of f.o.b. value, shall be paid by the exporter to the agency as inspection fee.

7. Appeal :-

(1) Any person aggrieved by the refusal of agency to issue a certificate under sub-rule (5) 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-third 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 fifteen days of its receipt.