

EXPORT OF STEEL WIRE ROPES (QUALITY CONTROL AND INSPECTION) RULES, 1974

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SCHEDULE 1 :-

EXPORT OF STEEL WIRE ROPES (QUALITY CONTROL AND INSPECTION) RULES, 1974

S.O. 1990, dated 10th August, 1974-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 Steel Wire Ropes (Quality Control and Inspection) Rules, 1974,
- (2) They shall come into force on 10th September, 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) "Steel wire ropes" means ropes manufactured by stranding steel wires, with or without fibre core, used for haulage, winding, hoisting, drilling or for any other allied use.

3. Quality control :-

(1) The quality of the steel wire ropes 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 Schedule annexed to these rules.

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

(i) Bought out materials and components control.- (a) Purchase specifications shall be laid down by the manufacturer incorporating the properties of materials and components to be used and detailed dimensions thereof with tolerances.

(b) The accepted consignments shall either be accompanied by a producer's test certificate corroborating the requirement 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 counter-checked at least once in five consignments to verify the correctness.

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

(d) After the inspection and tests are carried out, systematic methods shall be adopted for proper segregation and disposal 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 have adequate testing facilities to test the product as per the specification recognised under Sec. 6 of the Act.

(b) Adequate records in respect of the tests carried out shall be

regularly and systematically maintained.

(iv) 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) Preservation control.- (a) The manufacturer shall comply with relevant provisions, if any, of the standard specifications.

(b) If nothing is provided for in the standard specifications, the products shall be well preserved against adverse effects of weather conditions during storage and transit.

(vi) Packing control.- (a) Packing shall be in line with buyer's stipulation or as per normal trade practice.

(b) The reels or coils shall be suitably protected to avoid damage in transit.

4. Basis of inspection :-

The inspection of steel wire ropes intended for export shall be carried out with a view to seeing that the consignment of steel wire ropes offered for inspection conforms to the specification recognised under Sec. 6 of the Act.

5. Procedure of inspection :-

(1) The exporter intending to export a consignment of steel wire ropes shall give intimation in writing to the Agency indicating the details of the contractual specification and submit alongwith such intimation a declaration that the consignment of steel wire ropes 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 any of the following offices of the Export Inspection Council, which is nearest to the place of inspection, namely :-

Head Office: Export Inspection Council, 'World Trade Centre', 14/1-B, Ezra Street, 7th floor, Calcutta - 1.

Regional Offices; 1. Export Inspection Council, Aman Chambers, 4th floor, 113, Maharishi 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 Council not less than ten days prior to the despatch of the consignment from the premises of the manufacturer.

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(4) On receipt of the intimation and declaration under sub-rule (1), the agency 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 Council in this regard to manufacture the product to conform to the standard specifications recognised for the purpose, and upon carrying out periodic spot checks, as deemed necessary to ensure conformity of the consignment to the standard specifications recognised for the purpose, shall within 7 days issue a certificate declaring the consignment of Steel Wire Ropes as export-worthy. However, in cases where the manufacturer is not the exporter, the consignment shall be physically verified and such verification or inspection as necessary, or both shall be carried out by the agency to ensure that the above conditions are complied with :

Provided that where the agency is not so satisfied, it shall within the said period of 7 days, refuse to issue a certificate to the exporter declaring the consignment of Steel Wire Ropes as export-worthy and communicate such refusal to the exporter along with the reasons therefor.

(5) In cases where the manufacturer is not the exporter, after completion of inspection the agency shall immediately seal, stamp or stencil the consignment of Steel Wire Ropes 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, stamped, or stenciled by the agency ; but in such cases, however, the exporter shall not be entitled to prefer an appeal against the rejection.

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1. Omitted by S.O. 1660, dated 10th June, 1978.

6. Place of inspection :-

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

7. Inspection fee :-

Subject to minimum of rupees hundred for each consignment, a fee at the rate of fifty paise for every hundred rupees of f.o.b. value, shall be paid by the exporter to the Agency as inspection fee under these rules.

8. Appeal :-

(1) Any person aggrieved by the refusal of the Agency to issue a certificate under ¹ 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 the Central Government.

(2) The panel will 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 decision of the panel on such, appeal shall be final.

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

1. Sic., should read as "sub-rule (4) of rule 5".

SCHEDULE 1

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