

EXPORT OF STEEL WIRE STRANDS (QUALITY CONTROL AND INSPECTION) RULES, 1979

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EXPORT OF STEEL WIRE STRANDS (QUALITY CONTROL AND INSPECTION) RULES, 1979

S.O.2125, dated 23rd June, 1979 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 Steel Wire Strands (Quality Control and 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 one of the agencies established at Bombay, Calcutta, Cochin, Delhi and Madras under Sec. 7 of the Act;

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(c) 'Steel wire ropes' means ropes manufactured by forming steel wire strands in a specified manner with or without fibre core,-where

steel wire strand means a number of round or shaped steel wires helically laid about an axis in one or more layers in a specified manner.-and meant for application such as haulage, winding, hoisting, drilling or for any other allied use; but shall not include steel wire strands.

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1. Substituted by S.O. 2123, dated 23rd June, 1979.

3. Quality control and inspection :-

(1) Quality control.- The quality control of the steel wire strands intended for export shall be done with a view to see that the same conforms to the specifications recognised by the Central Government under Sec. 6 of the Act by effecting the following controls at different stages of manufacture together with the levels of control as given in Sch. I annexed hereto, namely :-

(i) Boughtout 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 or inspection certificates or the purchased 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.

(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 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 following specifications recognised under Sec. 6 of the Act:-.

(i) the relevant Indian or other National Standard specifications, (ii) the specifications issued by National or International Organizations like International Organization for Standardization, American Petroleum Institute, International Electrotechnical Commission and the like ;

(iii) the contractual specifications as agreed upon between the foreign buyer and the exporter for such export contracts as were entered into immediately prior to the publication of this order in the Official Gazette and thereafter exported within a span of sixty days from the said date; and

(iv) the contractual specifications as agreed upon between the foreign buyer and the exporter :

Provided that in the case of the specifications recognised under Cl. (i) to (iv) above, for the characteristics not specifically stipulated in the export contract between the foreign buyer and the exporter, the same as mentioned in Cl. (i) or Cl. (ii) above would be applicable.

(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 manufacturer to safeguard the product from adverse effects of weather conditions.

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

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

manufacturer.

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

(2) Inspection.- The inspection of steel wire strands meant for export shall be done by drawing samples as per Schedule II annexed hereto from the consignments for carrying out examinations and testing of the same with a view to see that the consignment conforms to the standard specifications recognised by the Central Government under Sec. 6 of the Act.

4. Basis of inspection :-

Inspection of steel wire strands meant for export shall be carried out with a view to see that the same conform to the specifications recognised by the Central Government under Sec. 6 of the Act which are reproduced at Schedule III appended to these rules either,

(a) by ensuring that during the process of manufacture the quality control drills as specified in sub-rule (i) of rule 3 have been exercised ;or

(b) on the basis of inspection carried out in accordance with the sub-rule (2) of rule 3; or

(c) by both.

5. Procedure of inspection :-

(1)

(a) Any exporter intending to export a consignment of steel wire strands shall give an intimation in writing to any one of the agencies of his intention so to do, and submit alongwith such intimation a declaration, either that the consignment of steel wire strands has been or is being manufactured by exercising quality control measures as per control referred to under sub-rule (1) of rule 3 and that the consignment conforms to the standard specifications recognised for the purpose; or, of the specifications stipulated in the export contract giving details of all the technical characteristics to enable the agency to carry out inspection in accordance with sub-rule (2) of rule 3.

(b) The exporter shall at the same time endorse a copy of such

intimation to the nearest office of the Council. The addresses of the Council offices are as under :-

Head Office. Export Inspection Council, 'World Trade Centre', (7th floor) 14/1B, Ezra Street, Calcutta - 700001.

Regional Offices.; (i) Export Inspection Council, Aman Chambers (4th floor) 113, M. Karve Road, Bombay - 400004.

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

(iii) Export Inspection Council, 3, Municipal Market Building, Saraswati Marg, Karol Bagh, New Delhi.

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

(4) (a) On receipt of the intimation and declaration under sub-rule (1), the agency on satisfying itself on the basis of inspection carried out as provided for under rule 4 and the instruction, if any, issued by the Council in this regard, that the consignment has been manufactured according to the standard specification applicable to it within seven days shall issue a certificate declaring the consignment of steel wire strands as export-worthy :

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.

(b) Except in case where the exporter is himself the manufacturer of the consignment of steel wire strands and the inspection is carried out according to the provisions of sub-clause (a) or (c) of rule 4, in all other cases, after completion of inspection, the agency shall immediately seal the packages of the consignment in a manner so as to ensure that the sealed goods cannot be tampered with. In case of rejection of the consignment, if the exporter so desires, the consignment may not be sealed by the agency. In such cases, however, the exporter shall not be entitled to prefer an appeal against the rejection.

6. Place of inspection :-

Inspection of steel wire strands 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 consignment of steel wire strands is offered for inspection by the exporter, provided adequate facilities for the purpose of inspection and testing exist therein.

7. Inspection fee :-

A fee at the rate of fifty paise for every one hundred rupees of the free on board value of the consignment subject to a minimum of rupees one hundred for each consignment 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 sub-rule (4) of rule 5, may, within ten days of the receipt of the communication of such refusal prefer an appeal to an appellate panel 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 shall consist of non-officials.
- (3) The quorum for the panel shall be three.
- (4) The appeal shall be disposed of within 15 days of its receipts.