

## **EXPORT OF VACUUM FLASKS (INSPECTION) RULES, 1968**

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## **EXPORT OF VACUUM FLASKS (INSPECTION) RULES, 1968**

S.O. 1617, dated 7th May, 1968. 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 Vacuum Flasks (Inspection) Rules, 1968.

(2) They shall come into force on 20th of May, 1968.

### **2. Definitions :-**

In these rules, unless the context otherwise requires,-

(a) "Agency" means any one of the Export Inspection Agencies established by the Central Government at Calcutta, Bombay, Delhi, Madras and Cochin under Sec. 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963).

(b) "Vacuum flasks" means (1) any container with moulded glass inners with other components for keeping the liquids either in hot or in cold condition for a considerable period of time, or (2) refills meant for the said vacuum flasks.

### **3. Basis of inspection :-**

Inspection of vacuum flasks for export shall be carried out with a view to seeing that the vacuum flasks conform to the specifications recognised by the Central Government under Sec. 6 of the Export

(Quality Control and Inspection) Act, 1963 (22 of 1963).

#### **4. Procedure of inspection :-**

(1) An exporter intending to export vacuum flasks shall give intimation in writing of his intention so to do and submit alongwith such intimation, a declaration of the specifications stipulated in the export contract relating to such export, to any one of the inspection agencies (hereinafter referred to as the agency) recognised under Sec. 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963) to enable it to carry out the inspection in accordance with rule 3.

(2) In case the specifications stipulated in the export contract are in the form of a sample, approved by the buyer, the exporter shall submit accordingly a declaration alongwith the approved sample and its characteristics to the agency.

(3) Every intimation and declaration under sub-rule (1) of the sample declared under sub-rule (2) shall be given not less than seven days before the expected date of shipment.

(4) On receipt of the intimation and declaration under sub-rule (3), the agency shall inspect the consignment of vacuum flasks with a view to seeing that the same conforms to the specifications recognised under Sec. 6 of the Export (Quality Control and Inspection) Act, 1963.

(5) If after inspection, the agency is satisfied that the consignment of vacuum flasks to be exported, complies with the requirements of rule 3, it shall, within seven days of the receipt of intimation and declaration under sub-rule (3), issue a certificate to exporter declaring the consignment as export-worthy :

**1** [

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.

]

1. Inserted by S.O. 3853, dated 18th November, 1972.

#### **5. Place of inspection :-**

Every inspection under these rules shall be carried out either-

(a) at the premises of the manufacturer of such products, or

(b) at the premises at which the goods are offered by the exporter, provided adequate facilities for the purpose exist therein.

**6. Inspection fee :-**

Subject to a minimum of Rs. 20/- for each consignment, a fee at the rate of thirty paise for every one hundred rupees of F.O.B. value for each such consignment shall be paid as inspection fee under these rules.

**7. Appeal :-**

(1) Any person aggrieved by the refusal of the 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) 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 15 days of its receipt.]