

## **EXPORT OF VALVES (INSPECTION) RULES, 1978**

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## **EXPORT OF VALVES (INSPECTION) RULES, 1978**

S.O. 3094, dated 29th October, 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 Valves (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 one of the Agencies established at Cochin, Madras, Calcutta, Bombay and Delhi under Sec. 7 of the Act.
- (c) "Valve" means a device being operated either manually or by power, used in pipelines for regulating the flow of liquid, gas or steam, and shall include the power actuating system, if any and also fire hydrants.

(d) "Council" means the Export Inspection Council established under Sec. 3 of the Act.

**3. Basis of inspection :-**

Inspection of Valves for export shall be carried out when the consignment is ready with a view to seeing that the same conforms to the specifications recognised by the Central Government under Sec. 6 of the Act which are reproduced in Sch. I annexed to these rules. In the absence of any specific stipulation in the export contract, the sampling and criteria for conformity mentioned in the Sch. II annexed to these rules shall be followed.

**4. Procedure of inspection :-**

(1) Any exporter intending to export valves 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 giving details of all the technical characteristics to any one of the Agencies to enable it to carry out inspection in accordance with rule 3. He shall at the same time endorse a copy of such intimation for inspection to the office of the council nearest to the office of the Agency. The addresses of the Council are as under:-

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

Regional Offices : (1) Export Inspection Council, "Aman Chambers", (4th floor), 113, M. 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.

(2) Every intimation and declaration under sub-rule (1) shall reach the office of the Agency and the Council not less than seven days before the scheduled date of shipment.

(3) On receipt of the intimation and declaration under sub-rule (2), the Agency shall carry out the inspection of Valves in accordance with rule 3 and the Inspections, if any, issued by the Council in this regard.

(4)

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

(b) In case of rejection, 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 any appeal against the rejection.

(5) When the Agency is satisfied that the consignment of Valves complies with the requirement of rule 3, it shall within three days of completion of inspection, issue a certificate to the exporter declaring that the consignment is exportworthy:

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 along with the reasons therefor.

(6) As and when required by the Agency, the exporter shall supply free of charge samples of Valves from the export consignment. The samples shall, however, be returned by the Agency after necessary inspection and testing.

**5. Affixation or 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, 1953 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 Valves prior to export and Valves so marked shall not be subjected to any inspection under rule 4 of these rules.

**6. Place of inspection :-**

Inspection of Valves 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 Valves are offered by the exporter, provided adequate testing facilities for the purpose exist therein.

**7. Inspection fee :-**

Subject to a minimum of rupees one hundred for each consignment, a fee at the rate of 0.5 per cent. 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 Inspection 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 appeal shall be disposed of within 15 days of receipt.

**SCHEDULE 1**

Specifications recognised under Sec. 6 of the Act

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| <p>(See rule 3) (a) The Indian or any other national or international standards; (b) Standards approved by a Ministry or Government Department or Public Utility Board of the importing country declared by the exporter as the contractual specifications for such Valves; and (c) The specifications declared by the exporter as the contractual specifications which do not fall under Cl. (a) and (b) above; but are approved by a panel of the Export Inspection Council for the purpose of examining and approving such standards.</p> |
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