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असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उपखण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation.

MINISTRY OF COMMERCE

NOTIFICATION

New Delhi, the 18th January 1969

S.O. 277.—In exercise of the powers conferred by section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby makes the following rules further to amend the Export (Quality Control and Inspection) Rules, 1964, namely:—

1. These rules may be called the Export (Quality Control and Inspection) Amendment Rules, 1969.

2. In the Export (Quality Control and Inspection) Rules, 1964,—

(1) for rule 12, the following rule shall be substituted namely:—

"13. *Approval of testing houses, surveyors and samplers.*—(1) for the purpose of obtaining approval of the Central Government under sub-section (2) of section 7, the officer in charge of the testing house or the surveyor or the sampler shall submit an application to the Director in Form I, containing a detailed statement of particulars of the equipments and facilities available in the testing house or of the scheme of inspection or test which the surveyor or sampler follows for conducting physical and chemical tests, previous experience, the staff working in the testing unit and a general outlay of the premises in which the testing and sampling is proposed to be conducted.

(2) After the receipt of the application, the Director may direct the applicant to furnish any supplementary information or documentary evidence in support of any statement made by him in the application, within such time as may be specified in the direction and where the applicant fails to comply with such direction, his application shall be liable to be rejected.

- (3) The Director shall place the application together with the particulars and other information furnished by the applicant before the Council, which shall, after making such enquiries as it deems fit in the matter, make recommendations to the Central Government as to whether approval may be given or not.
- (4) While making the recommendations, the Council shall also specify the amount of cash security or the nature of surety that the applicant shall furnish before approval is given.
- (5) After considering the recommendations of the Council, the Central Government may accord approval to the testing house, surveyor or sampler, as the case may be, and where such approval is accorded, the Central Government shall require the officer in charge of the testing house or the surveyor or the sampler to execute a bond with such cash security or surety as is necessary for the purpose in the prescribed form.
- (6) After the applicant has executed the required bond, the Central Government shall issue the notification under sub-section (2) of section 7 and also issue a certificate in Form II to the applicant which shall be valid for such period not exceeding one year as may be specified therein.
- (7) The Central Government may, on an application made in this behalf, at least one month before the expiry of the period for which a certificate has been granted, renew the same for a period not exceeding three years at a time.
- (8) Every person in charge of a testing house and every surveyor and every sampler approved under this rule shall submit to the Directorate a half-yearly statement containing the following particulars namely:—
 - (i) number of applications received for testing or sampling or surveying;
 - (ii) number of applications attended to;
 - (iii) number of cases where certificate of quality has been issued;
 - (iv) quality and value of goods dealt with;
 - (v) number of cases where certificate of quality has been refused."
- (2) For forms I and II, the following forms shall be substituted, namely:—

"FORM I

Application for recognition as Testing House/Surveyor Sampler

[See rule 13(1)]

PART I

To

The Director of Inspection and Quality Control,
Ministry of Commerce,
Government of India,
New Delhi.

Sir,

I/We, the firm known under the name and style.....
desire to be recognised as approved Testing House/Surveyor(s)/Sampler(s) for
the pre-shipment inspection of the following commodities and furnish the detailed
Particulars in Part II of the application.

2. I/We hereby declare that I/We shall when called upon to do so execute a
bond in proper form with such security as may be required binding myself/our-
selves to faithfully carry out the duties prescribed under the Act or the Rules or
by any order issued by the Director on behalf of the Central Government.

3. I/We hereby enclose a crossed bank draft of Rs..... as fee.
(The fee is not refundable whether the applicant is given recognition or not).

4. I/We agree to undertake the work of testing, survey or sampling at the rates prescribed by the Central Government.

5. I/We have read the rules regarding the pre-shipment inspection, testing survey and sampling and undertake to abide by them.

Yours faithfully,

Signature and Seal or Stamp of the
applicant.

FORM II

Names of the constituents of the firm with their position and extent of Interest
Names Position and extent of Interests.

2. Places where branch offices and laboratories are situated.
3. Detailed account of each laboratory—
 - (a) Names and description of instruments, etc., available.
 - (b) Other equipments available.
 - (c) Names and qualifications of the technical staff working in these laboratories.
4. Previous experience in the field, if any.
5. Names of 10 exporters or foreign importers, on whose behalf the inspections, surveying and sampling, etc., was done.
6. Names of Commodity and the total quantity surveyed/inspected/sampled.
7. Whether any of these survey reports were rejected by the buyer? If so, the details may be given.
8. How long employed in the business of Inspection/surveying/sampling.
9. Referees, if any: (Here mention the names of 3 respectable export houses and 3 foreign import houses whom you like to mention as referees for reputation of business).
10. Names of the bankers to whom references can be made about the financial position of the applicant.

Signature and seal or Stamp of the
applicant.

CERTIFICATE No.

FORM II

[See rule 13(6)]

GOVERNMENT OF INDIA

MINISTRY OF COMMERCE

Certificate of approval of testing house/surveyor/sampler. In terms of section 7(2) of the Export (Quality Control and Inspection) Act, 1963, the Testing House/Surveyor(s)/Sampler(s), whose particulars are given below having complied with the prescribed procedure is/are approved by the Central Government for testing/surveying/sampling, commodities that are intended for export

Name:

Address:

Location of Laboratory/Testing House:

II. This approval enables its holder to carry out examination of commodities and to issue certificate of examination in the matter provided in the Export

(Quality Control and Inspection) Act, 1963, and Rules and Orders issued thereunder and further to charge such fee, as is notified by the Central Government, from the owner whose goods are examined.

III. This approval shall be valid from to and may be renewed as prescribed in the Export (Quality Control and Inspection) Rules, 1964.

Director of Inspection and Quality Control,
for and on behalf of the Government of India."

NEW DELHI:

Date:

[No. 40(1)Exp.Insp./67.]

A. C. BANERJEE, Jt. Secy.