

The Electrical Wires, Cables, Appliances and Accessories (Quality Control) Order, 1993

UNION OF INDIA

India

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Rule

THE-ELECTRICAL-WIRES-CABLES-APPLIANCES-AND-ACCESSORIES of 1993

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The Electrical Wires, Cables, Appliances and Accessories (Quality Control) Order, 1993 Published vide Notification Gazette of India, Extraordinary, Part 2 Section 3(2), dated, 24th February, 1993 (w.e.f. 24th February, 1993). G.S.R. 83(E), dated 24th February, 1993. - In exercise of the powers conferred by Section 3 of the Essential Commodities Act, 1955 (10 of 1955), and in supersession of the order of the Government of India in the Ministry of Industry, No. G.S.R. 356 (E), dated the 18th March, 1988, except as respects things done or omitted to be done before such supersession of the Central Government hereby makes the following Order, namely :

1. Short title and commencement.

(1) This Order may be called the Electrical Wires, Cables, Appliances and Accessories (Quality Control) Order, 1993. (2) It shall come into force on the date of its publication in the Official Gazette.

2. Definitions.

- In this Order, unless the context otherwise requires- (a) "Appropriate Authority" means an officer not below the rank of an Under Secretary to the Government of India or an officer not below the rank of a General Manager, District Industries Centres or a State Government as may be appointed by the Central Government or the State Government to implement the provisions of this order. (b) "Bureau" means the Bureau of Indian Standards ; (c) "Dealer", in relation to electrical wires, cables, appliances and accessories, means a person who, or a firm or a Hindu undivided family which, carries on, directly or otherwise, the business of buying, selling, supplying or distributing any

such electrical wires, cables, appliances and accessories, whether in cash or for deferred payment or for commission, remuneration or other valuable consideration ;(d)"Electrical wires, valves, appliances and accessories" means the electrical wires, cables, appliance and accessories specified in column (2) of the Schedule ;(e)"Manufacturer", in relation to electrical wires, cables, appliances and accessories, means a person who, or a firm or a Hindu undivided family which, produces, makes, assembles or manufactures any such electrical wires, cable, appliance and accessories and includes a person who, or a firm or Hindu undivided family which, claims such electrical wires, cables, appliances and accessories to be produced, made, assembled or manufactured by such person or firm or Hindu undivided family, as the case may be.(f)"Schedule" means the Schedule annexed to this Order ;(g)"Specified Standard", in relation to electrical wires, cables, appliances and accessories, means the standard as specified in the corresponding entry in column (3) of the Schedule ;(h)"Standard Mark" means the Bureau of India Standard Certification Mark specified by the Bureau to represent a particular Indian Standard, and also includes any Indian Standard specified by the Bureau; and(i)"State Government" includes a Union Territory Administration.

3. Prohibition regarding manufacture, sale, etc. of electrical wires, cables, appliances and accessories.

(1)No person shall by himself or through any person on his behalf manufacture or store for sale, sell or distribute any electrical wires, cables, appliances and accessories which do not conform to the specified standards and they shall bear standard mark of the Bureau :Provided that nothing in this Order shall in relation to export of electrical wires, cables, appliances and accessories required for export which conform to any specification required by the foreign buyer and such specification shall not in any case be less than the specified standard.(2)The sub-standard or defective electrical wires, cables, appliances and accessories or raw-material or components, which do not conform to the specified standard shall be deformed beyond use and disposed of as scrap.

4. Certification of manufacturers.

(1)The manufacturer of electrical wires, cables, appliances and accessories shall make an application to the Bureau for obtaining licence for use of the standard mark, within 45 days of the issue of this Order, if not already obtained.(2)The grant of licence by the Bureau for use of the standard mark shall be as per the provisions of the Bureau of Indian Standards Act, 1986 (63 of 1986) and the rules and regulations made thereunder(3)When any person by himself or through any person on his behalf proposes to manufacture electrical wires, cables, appliances and accessories, he shall make an application to the Bureau within 45 days of commencement of production.(4)Consequent to the lapsing or cancellation of any licence or closure of application by the Bureau for one or more of the electrical wires, cables, appliances and accessories mentioned in column (2) of the Schedule, other appropriate authority shall also be informed.

5. Prohibition of storage, sale and distribution.

- No person shall by himself or through any person acting on his behalf store for sale, sell or

distribute any electrical wires, cables, appliances and accessories which do not bear the standard mark of the Bureau and which have not been manufactured by a person who has obtained a Certification Mark Licence for the purpose.

6. Power to call for information, etc.

- The appropriate authority may, with a view to securing compliance with this Order, -(a) require any person engaged in the manufacture, store for sale, sale or distribution of any electrical wires, cables, appliances and accessories to give such information as it deems necessary in relation to the manufacture, storage for sale, sale or distribution of any electrical wires, cables, appliances and accessories for the implementation of this Order or require any such person to furnish to it samples of any such electrical wires, cables appliances and accessories or any components of any such electrical wires, cables, appliances and accessories; (b) inspect or cause to be inspected any books or other documents and other electrical wires, cables, appliances and accessories or the components of any such electrical wires, cables, appliances and accessories kept by or belonging to or in the possession or under the control of any person engaged in the manufacture, storage for sale, sale or distribution of any such electrical wires, cables, appliances and accessories ; (c) cause an officer authorised under Para. 8 to enter and search any premises and seize any electrical wires, cables, appliances and accessories in respect of which it has reason to believe that a contravention of this Order has been committed or the said electrical wires, cables appliances and accessories are not of the specified standard ; and (d) the provisions of Sec. 100 of the Code of Criminal Procedure, 1973 (2 of 1974) relating to the search and seizure under this paragraph.

7. Testing of samples.

- Samples of any electrical wires, cables, appliances and accessories bearing the Standard Mark and drawn by the appropriate authority, for ascertaining whether they are of the specified standard, shall be tested in the laboratory approved by the Bureau and in the manner as may be determined by the Bureau.

8. Power to issue directions to manufacturers and dealers.

- The appropriate authority may issue such directions to manufacturers and dealers, consistent with the provisions of this Order, as may be necessary for carrying out the purposes of this Order.

9. Compliance of direction.

- Every person engaged in the manufacture, storage for sale or distribution of any electrical wires, cables, appliances and accessories, to whom any direction is issued under this Order, shall comply with such direction.

10. Obligation to furnish information.

- No manufacturer or dealer with intent to evade the provisions of this Order, refuse to give any information lawfully demanded from him under Para. 6 or conceal, destroy, mutilate or deface any books or documents or any electrical wires, cables, appliances and accessories kept by, or in the possession or control of, such person.

11. Penalty.

- Any person who contravenes any of the provisions of this Order or fails to carry out any direction or requisition made thereunder shall be punishable, and the property in respect of which the order has been contravened shall be liable to forfeiture, under Section 7 of the Essential Commodities Act, 1955 (10 to 1955).

12. Appeal.

(1) Any manufacturer or dealer aggrieved by any decision of the appropriate authority may prefer an appeal in writing to the Central Government, within 30 days from the date of receipt by him of the copy of the order, communicating such decision: Provided that the Central Government may admit any appeal after the expiry of the period aforesaid if it is satisfied that the appellant was prevented from filing the appeal in time due to sufficient cause. (2) On receipt of the appeal under sub-paragraph (1), the Central Government may, after giving the appellant an opportunity of being heard, pass such order as it may deem fit.

Schedule

Quality Control Order, 1993 Items covered under the above Order are as follow :-

Sl. No.	Item	Standard
1	2	3
1	Safety of household and similar electrical appliances—Electric immersion water heaters.	IS : 302-2-201 (1992)
2	Safety of household and similar electrical appliances—Electric iron.	IS : 302-2-3 (1992)
4	Safety of household and similar electrical appliances—Electric radiators.	IS : 302-2-30 (1992)
5	Switches for domestic and similar purposes.	IS : 3854 : 1988
6	2 Amps switches for domestic and similar purposes.	IS : 4949 : 1968
7	3 Pin plugs socket outlets.	IS : 1293 : 1988.