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No. 507 NEW DELHI THURSDAY, NOVEMBER 12, 1981/KARTIKA 21, 1903

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MINISTRY OF INDUSTRY  
(DEPARTMENT OF INDUSTRIAL DEVELOPMENT)

ORDER

NEW DELHI, THE 12 th NOVEMBER, 1981

**S.O. 797 (E)-** In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government, being of the opinion that it is necessary and expedient so to do for regulating the manufacture, store, sale and distribute the household electrical appliances hereby makes the following order, namely:-

1. Short title, extent and commencement :- (i) this order may be called the Household Electrical Appliances (Quality Control) Order, 1981  
(ii) It shall come into force on the date of its publication in the official Gazette.
2. Application : It shall not apply to the manufacturers of household electrical appliances in respect of such appliances which are marked with ISI mark under a valid licence issued under the ISI (Certification Marks) Act, 1952
3. Definitions : In this order, unless the context otherwise requires –
  - a “Act” means the Essential Commodities Act, 1955 (10 of 1955)
  - b “ Appropriate Authority” means any officer of the rank of Director of industries, Director of Civil Supplies or any officer of equivalent rank appointed by the State Government to implement the provisions of this order ;
  - c “dealer” in relation to household electrical appliances 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 appliance, whether in cash or for deferred payment or for commission, remuneration or other valuable consideration ;
  - d “household electrical appliances means a person the electrical appliances specified in column (2) of the Schedule ;
  - e “manufacturer” in relation to household electrical appliances means a person who, or a firm or Hindu undivided family which, produces, makes, assembles or manufactures any such appliances and includes a person who or a firm or Hindu undivided family which claims such appliances 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 a household electrical appliances mentioned in column (2) of the Schedule means the standard as specified in the corresponding entry in column (3) of the said Schedule and includes the standard published by the Indian Standard Institution from time to time in relation to the appliance;
  - h “State Government” includes a Union Territory Administration.
4. Prohibition of manufacture, sale, etc. of household electrical appliances which are not of specified standard

- (i) No person shall himself or by any person acting on his behalf manufacture, store for sale, sell, or distribute any household electrical appliances which does not conform to the specified standard .
- (ii) Every household electrical appliance offered or exposed for sale or sold shall bear conspicuously on the appliance and where it is not possible on the package as the case may be, the name and address of the manufacturer and where none of above modes is practicable it shall be accompanied by a certificate or label to that effect and also a declaration that the appliance conforms to the specified standards.
- (iii) "Specified Standards" in relation to household electrical appliances  
Provided that nothing in this clause shall apply to any household electrical appliances which is intended for export if it conforms to any other standard specified by the foreign buyer in a firm contract for the purchase of such appliance so long as it is conformity with the provisions of the Export (Quality Control and Inspection) Act 1963 where ever applicable.

5. Certification of manufacturers—

- (i) No person shall himself or by any person acting on his behalf if he is already a manufacturer continue to manufacture any household electrical appliance unless he has obtained a Manufacturer's Certificate for the said appliance from the Appropriate Authority of the State in which he manufactures the appliance within a period of three months.
- (ii) No person shall here after himself or by any person on his behalf manufacture any house hold electrical appliance unless he has obtained a Manufacturer's Certificate for the said appliance from the Appropriate Authority of the State in which he proposes to manufacture the appliance.
- (iii) The Appropriate Authority may at any time revoke a Manufacturer's Certificate for any one or more of the appliances to good and sufficient reasons to be recorded in writing.

Provided that the manufacturer whose certificate has been so revoke may prefer an appeal against such revocation in the manner specified in clause 14. After the revocation of the Manufacturer's Certificate or as the case may be after rejection of the appeal against such revocation the manufacture shall forthwith cease to manufacture the household electrical appliance for which the Manufacturer's Certificate so revoked had been issued .

6. **Prohibition of Storage sale and distribution**--- No person shall himself or by any person acting on his behalf store for sale, sell or distribute any household electrical appliances which has not been manufactured by a person who has obtained Manufacturer's Certificate under clause 5 or an Indian Standards Institution Certification Mark Licence after the date appointed in this behalf by the State Government.

7. **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, storage for sale, sale or distribution of any household electrical appliance to give such information as it deems necessary in relation to the manufacture storage for sale, sale or distribution of any household electrical appliance for the implementation of this order or require any such person to furnish to it samples of any household electrical appliance or any component of any household electrical appliance;
- b. inspect or cause to be inspected any books or other documents or any household electrical appliance or the components of any household electrical appliance kept by or belonging to or in the possession of under the

- control of any person engaged in the manufacture storage for sale, sale or distribution of any household electrical appliance;
- c. cause an officer authorised under clause 12 to enter and search any premises and seize any household electrical appliance in respect of which it has been to believe that been committed or the said appliance is not of the specified standard;
  - d. the provisions of section 100 of the Code of Criminal Procedure 1973 (2 of 1974) relating to search and seizure shall so far as may be apply to searches and seizure under this clause.
8. Testing of Samples :
- i. Where the Appropriate Authority is of the opinion that it is necessary so to do for the purpose of ascertaining whether any household electrical appliance is of the specified standard it may take from any person engaged in the manufacture storage for sale, sale or distribution of any such electrical appliance three samples thereof – One to be tested, One to be sealed and kept with the Appropriate Authority and One to be left with the manufacturer or the dealer as the case may be.
  - ii. All the three samples shall be sealed in the presence of the person so engaged in the manufacture, storage for sale or distribution of such electrical appliance or his authorised representative. A receipt in such form as may be specified by Appropriate Authority shall be given to such person in receipt of the samples so taken and the price of the electrical appliance shall be paid by the Appropriate Authority to such person if the samples conform to the specified standard otherwise the samples shall be forfeited.
  - iii. Where the Appropriate Authority has taken any sample of household electrical appliance under sub-clause (i) it shall deliver the same forthwith for testing to any laboratory approved by the Indian Standards Institution to ascertain whether the sample is of the specified standard. The testing charges will be paid by the Appropriate Authority.
  - iv. The Appropriate Authority may decide in each case what tests should be performed by the laboratory in respect of a particular appliance in order to ascertain whether the appliance conforms to the specified standard. A continuous record of the tests so performed and the results thereof in respect of each type of appliance of each manufacturer shall be maintained by the Appropriate Authority.  
Provided that if the manufacturer belongs to a state different from the state in which a sample has been drawn from a dealer the Appropriate Authority drawing the sample till communicate directly with the manufacturer but will communicate the test report to the Appropriate Authority of the state wherein the manufacturer is registered and the latter Authority will give necessary directions to the manufacturer in accordance with the provisions of this Order.
  - v. The officer incharge of the laboratory referred to in sub-clause (iii) shall carry out or cause to be carried out tests necessary to determine whether the sample conforms to the specified standard and give a report on the result of the tests in triplicate to the Authority sending the sample for test in such form as may be specified by the Appropriate Authority.
  - vi. If necessary the testing laboratory may call for the second sample available with the Appropriate Authority ; or the manufacturer of the dealer may ask for a test on the sample left with him and the test may be carried out in the presence of the manufacturer of dealer or his authorized representative and an observer .
9. Power to prohibit disposal of any household electrical appliances not conforming to specified standard:-
- (i) Where the Appropriate Authority is satisfied on the basis of a test report received under sub-clause (v) of clause 8 that any household electrical appliance is not of the specified standard and the defect can be removed he may direct the person engaged in the manufacture storage for sale, sale or distribution of such

appliance to remove the defect and not to dispose of such appliances until authorised by the Appropriate Authority to do so.

- (ii) Where the Appropriate Authority is satisfied that the defect in the appliances cannot be removed, he may direct the person engaged in the manufacture, storage for sale, sale or distribution of such appliance to withdraw forthwith the appliances from the market.

10. Power to issue direction to manufactures and dealers—

The 'Appropriate Authority' may issue such directions to manufacturers and dealers, consistent with the provisions of this Order, as may be necessary in carrying out the purposes of this Order.

11. Compliance of directions—

Every person engaged in the manufacture, storage for sale, sale or distribution of any household electrical appliance to whom any direction is issued under this order shall comply with such direction.

12. Delegation of power—

The Appropriate Authority may, by general or special order in writing, authorize any officer to exercise on its behalf all or any of its functions under this order; provided that no officer who is not of a Gazetted rank shall be authorized by the Appropriate Authority to exercise the powers of search and seizure under paragraph © of sub-clause(1) of clause 7

13. Obligation to furnish information---

No manufacturer or dealer shall with intent to evade the provisions of this order refuse to give any information law fully demanded from him under clause 7 or conceal, destroy mutilate or deface any books or documents or any household electrical appliance kept by such person or the possession or control of such person.

14. Appeal—

- (i) Any manufacturer or dealer aggrieved any decision of the Appropriate Authority, may appeal in writing to Appellate Authority, as may be notified' by the State Government concerned, within 30 days from the date of receipt by him of the copy of the Order communicating such decision;

Provided that the Appellate Authority may admit any appeal after the expiry of the period aforesaid if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

- (ii) On receipt of the appeal under sub-clause (i), the Appellate Authority may, after giving the appellant an opportunity of being heard, pass such order as it may deem fit.

15. Penalty—

Any person who contravenes any of the provisions of this Order or of the terms and conditions of the Manufacturer's Certificate, or fails to carry out any direction or requisition made there under 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 of 1955).

16. Repeal—The Household Electrical Appliances (Quality Control) Order, 1976 is hereby repealed, save in so far as any action already taken.

**Schedule of Household Electrical Appliances :**

S. No.	Household Electrical Appliances	Standard
1.	Electric Immersion Water Heaters	IS : 368 – 1992
2.	Storage Type Automatic Electric Water Heaters	IS : 2082-1993
3.	Switches for domestic & Similar purposes	IS : 3854 – 1988
4.	Elastomer Insulated Cables (up to 1.1 kV)	IS : 9968 - 1988(Part-I)
5.	Elastomer Insulated Cables ( 3.3 to 11 kV)	IS : 9968 - 1981(Part-II)

6.	PVC insulated cables (for voltage up to 1100 V)	IS : 694 – 1990
7.	Polyethylene insulated and PVC sheathed cables up to and including 1100 Volts	IS : 1596 – 1977
8.	Electric Irons	IS : 366 – 1991
9.	Electric Stoves	IS : 2994 – 1992
10.	Electric Hot Plates	IS : 365 – 1983
11.	Domestic Electric Food Mixers (Liquidizers, blenders & Grinders)	IS : 4250 – 1980
12.	Electric Toasters	IS : 1287 – 1993
13.	Electric Coffee percolators (Non regulator Type)	IS : 3514 – 1966
14.	Electric Kettles and Jugs for household and similar use	IS : 367 – 1993
15.	Domestic Electric Clothes Washing Machine (Non automatic)	IS : 6390- 1992
16.	Electric Radiators	IS 369 – 1992
17.	Electric Water Boilers	IS : 3412 – 1994
18.	Mains Operated Electric Hair Dryers	IS : 7154 – 1994
19.	Mains operated electric shavers	IS : 5159 – 1969
20.	Domestic Electric Cooking ovens	IS : 5790 – 1985
21.	Steam Irons	IS : 6290 – 1986
22.	Flexible electric heating pads for domestic use	IS : 5161 – 1969
23.	Portable hand held mains operated electric massagers	IS : 7137 – 1973
24.	Portable low speed food grinding machine	IS : 7603 – 1975
25.	Appliance- connectors and appliance inlets (Non reversible three pin type) Appliance Connectors.	IS : 3010 (Pt-I) – 1965
26.	Appliance connectors and appliance inlets (Non reversible three pin type) Appliance inlets	IS : 3010 (Pt- II) – 1965
27.	Thermostats for use with Electric Water Heaters	IS : 3017 – 1985
28.	Cartridge type heating elements (Non embedded type)	IS : 3724 – 1966
29.	Resistance wires, tapes and strips for heating elements	IS : 3725 – 1966
30.	Solid embedded type electric heating elements	IS : 4158 – 1985
31.	Mineral filled sheathed heating elements	IS : 4159 – 1983
32.	Thermostats for general purposes electric ovens	IS : 4165 – 1991
33.	Mica insulated heating elements	IS : 6446 – 1986
34.	2-Amps switches for domestic and similar purposes	IS : 4949-1968
35.	Electric portable lamp stands and brackets	IS : 3481 – 1966
36.	Three pin plugs and sockets outlets (First revision)	IS : 1293 – 1988
37.	Three pin plugs made of resilient materials	IS : 6538 – 1971
38.	Bayonet lamp holder	IS : 1258 – 1987
39.	Electric Instantaneous Water heaters	IS : 8978 – 1992
40.	Single Walled Baking Oven	IS : 8985 - 1978