

REGULATIONS FOR TESTING OF AGRICULTURAL MACHINERY

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Two categories of tests viz. COMMERCIAL and CONFIDENTIAL will be carried out at Farm Machinery Training & Testing Institute.

1. **Commercial Tests:** These are for establishing performance characteristics of machines that are in or ready for commercial production. The following types of commercial tests will be under taken:
 - a) Initial Commercial Tests on indigenous or imported prototype machines ready for commercial production.
 - b) Batch Test on machines, which have already undergone initial commercial test and/or are being manufactured commercially in the country.
 - c) Test in accordance with OECD Standard Test Code: shall be undertaken on machines (which have already undergone initial commercial test) on the specific request of the manufacturer/applicant, exclusively for export purposes.
2. **Confidential Tests:** These are for providing confidential information on the performance of machines, whether ready for commercial production or not or to provide any special data that may be required by the manufacturer/applicant.

GENERAL REGULATIONS GOVERNING ALL TESTS

1. Machines may be tested at the request in writing of manufacturers/accredited importers referred to as “Applicant” herein after.
2. Tests will be carried out at the discretion of the of the Division of Farm Machinery and Power Engineering, COAE&T, Sher-e-Kashmir University of Agricultural Sciences and Technology of Kashmir, Srinagar, herein-after referred to as —“Testing Authority” to whom application on prescribed form may be addressed.
3. All the tests will be conducted as per BIS Test Code. If for any machine/ component, the BIS test code is not available, the test code shall be framed by the Testing Authority whose decision shall be final.
4. If a machine is withdrawn, permission of the Testing Authority will have to be obtained. In such a case the test fee plus all other expenditure, as indicated above for test conducted, shall be charged.
5. Parts of assemblies of machines worn out or damaged during test shall be replaced/repared by Applicant free of cost within the time specified by the Testing Authority.
6. In case some parts are required by the Testing Authority for destructive tests, these shall be arranged free of cost by the applicant.
7. In case, any services are provided by the Testing Authority, these will be charged for.
8. The cost of laying foundation, fixtures, etc. which are not normally available at the Institute and which are found necessary for working of the machine under test and all special store items shall be borne by the applicant.

9. Parts and assemblies of machines worn out or damaged during the test may be handed over at the discretion of the Testing Authority only after the test report has been released.
10. The applicant will make his own arrangements to collect the machine within one month of the intimation by the Testing Authority. If the applicant fails to remove the machine within this period, the applicant will be liable to payment of ground rent as fixed by the Testing Authority for a period not exceeding four months. After the expiry of 3 months, one-month notice will be served on the applicant by the Testing Authority. If the applicant fails to remove the machine within this period, the machine will become the property of the Institute and may be disposed of by auction at the discretion of the Testing Authority.
11. If the test on a machine submitted for confidential test has been conducted as per relevant commercial test procedure in all respects, then on the request in writing of the applicant, the Testing Authority, after satisfying himself may permit conversion of nature of test from "Confidential" to "Commercial".
12. If any un-patented machine or a machine in respect of which a proper application for patent has not been duly made, is submitted for test, it will not be published or disclosed to the public by the Testing Authority and the matter will be treated as confidential so that right of the inventor or a person claiming through him to get a patent for the machine is not prejudiced.
13. If in the course of testing, a machine/component, any invention/and/or developments originate from the officers of the Farm Machinery Testing Centre, the Government may at its discretion take out separate patents to protect the subject matter invented and/or developed.
14. If a machine submitted for confidential test has been tested as per relevant commercial test procedure and the procedure followed for commercial testing has been observed in all respects, then, on the request in writing of the applicant, the confidential test report may be converted to commercial.

ADDITIONAL REGULATIONS GOVERNING COMMERCIAL TESTS

1. If a machine is already in commercial production in India, the sample for batch test shall be new and be selected by the Testing Authority or his accredited representative at random from series production. No alteration/modification shall be allowed after its practical performance.
2. If the test is related to some development work on which the Testing Institute is engaged, the whole or any part of the test fee may be remitted with the approval of the Ministry of Agriculture. No test fee or other charges will be levied for commercial testing of the machines.
3. The commercial test report may be used commercially by the applicant and may be published in full without any alteration or omission. No extract or abbreviated version shall be published without the written approval of the Testing Authority.
4. The applicant may mention in advertisements that the machine/component has been tested at the Farm Machinery Training and Testing Institute (as the case may be) and invariably quote

the number of the Test Report in the advertisement. All the pamphlets or advertisements meant for public should indicate only performance values observed by the Testing Authority.

5. The Government of India reserve the right to publish or to communicate to any person or body the results either wholly or in part together with such comments and additional information as they think desirable.
6. In case of machines which are marketed and are not tested for the benefit of the farmers, the Institute, on the direction of the government, will have the right to carryout commercial test on any such machine sold in the country and to publish the results thereof.
7. In case of damage to or breakdown of any particular component during the course of testing, the applicant may replace the part with a new one having the same specifications. Testing Authority may, at its discretion, permit replacement of any component which the applicant has learnt, is defective on account of material or workmanship. However, replacement of complete assemblies shall not be permitted. If major breakdown occurs, necessitating replacement of major assemblies, the applicant may be allowed to withdraw the machine.
8. In case the machine is withdrawn from test because of reasons stated above, the applicant shall have to submit another machine after incorporation of required changes or replacements. The test report of the first machine containing the results of test conducted and clearly stating the reasons for non-completion of tests shall be released immediately after withdrawal of the machine from test. The test report of second machine shall contain a reference to the testing of the earlier machine.

ADDITIONAL REGULATIONS GOVERNING CONFIDENTIAL TESTS

1. Results obtained will be the property of the applicant and will not be communicated to any person or body without the applicant's consent. The applicant shall neither publish the report nor any extract from it, nor divulge the test results to any other person or body without prior written approval of the Testing Authority. The report shall not be used for commercial purposes.
2. In case of confidential tests, adjustment, modification or alteration in the machine may be permitted at the discretion of the Testing Authority.

GENERAL CONDITIONS

1. The applicant shall supply in English (and if available, also in Hindi) three copies each of the published literature, detailed specifications, operator and service (workshop) manuals and illustrated parts catalogue of the machine. Any other details required by the Testing Authority shall also be supplied. These shall be retained at the Institute.
2. The operation, maintenance and servicing of the machine shall be carried out according to the procedure laid down in the manufacturer's printed literature, unless otherwise specified by the applicant prior to the commencement of the test. Where choice of adjustments or operating conditions is made by the applicant, the guide in making such choices will be the one suitable for general operation. In case of doubt, the opinion of the Testing Authority will be deemed as final.
3. It will be the responsibility of the applicant to ensure that the machine is in good condition. In case the machine requires running-in, the same will be carried out, in consultation with the Testing Authority before submission of machine for testing. Details of running-in should be supplied by the applicant at the time of submitting application.
4. Facilities to tune up and adjust and the initial set up and run-in of the machine before the actual tests commence will be allowed to the applicant. In case of commercial testing, no adjustments shall ordinarily be permitted during the actual test.
5. Two representatives of the applicant with proper letter of authority will be permitted to witness the test at the discretion of the Testing Authority. The representatives may be allowed to collect necessary factual data about the performance of the machine on the clear understanding that name of the Testing Authority shall not be associated with any data so collected by the representative or published by the applicant.
6. Permission to collect the data on performance of machine during the tests shall be granted at the discretion of the Testing Authority.
7. Neither the Testing Authority nor anybody engaged on his behalf for conducting tests will be held responsible for any accident, damage or loss whatsoever, to the machine/component/equipment which may occur while in custody, storage, transit and/or during the tests.
8. When special tests are required to be carried out, all expenditure will be payable by the applicant.
9. The schedule of fees may be reviewed and altered, if necessary, with reference to the cost of maintenance of equipment and apparatus used and labour and time spent on testing, with the approval of the Ministry.
10. The applicant shall also supply special tools, if any, required for servicing, adjustments and major repairs of the machine along with list thereof.
11. In the case of machines which, during tests, are also required to be run on roads, the applicant will arrange for necessary permission under the Motor Vehicles Act, if so required.
12. For components tests, such as agricultural discs, ploughs, shares, cultivator tines etc. the applicant should supply a complete unit of the standard machine to which the components are to be fitted. In case of agricultural discs, a complete disc harrow and/or also plough should be submitted, if required by the Testing Authority.

13. The testing of machine/components shall be commenced by the Testing Authority only after completion of all formalities by the applicant as indicated in these regulations. On completion of test and payment of testing charges in full, a copy of the draft test report shall be made available to the applicant for scrutiny and comments. In the case of applicants in India, the applicant shall furnish his technical comments on draft test report within 15 days from the date of issue of the draft test report and for the applicants from abroad or in case where the reports are to be referred to the Principals in foreign country, the comments would be furnished in 40 days. In case the applicant fails to submit comments within the stipulated time, the Testing Authority may release the final test report. In case of commercial test report, such of the applicant's comments as contribute technically to the contents of the test report will be included in the test report under a separate chapter referred to as — **“Applicant's Comments”** at the discretion of the Testing Authority.
14. Three copies of the test report shall be supplied to the applicant, free of cost. Additional copies shall be supplied on payment of the cost that may be fixed by the Testing Authority from time to time.
15. The test report issued by the Testing Authority on a particular model or sample of machine/implement/component, etc. will apply only to that particular model/brand submitted for test.
16. The test reports issued by the testing Authority contain only the data obtained on the particular sample of a model/brand tested by the Testing Authority and do not, in any way, signify the approval of the Government or the Testing Authority of the models/samples tested.
17. No interim test report shall be issued on a machine while under test.
18. The Government of India reserve the right to change these regulations at any time as may be found necessary without any notice to anybody and such changes will be binding on all concerned.

ADDITIONAL REGULATIONS GOVERNING THE EXPRESSION OF OPINIONS

1. A fee equal to half the amount of test fees fixed in respect of the tests carried out on the machine will be charged for each expression of the opinion issued. It is the discretion of the Testing Authority to issue —“opinion expressed” or not. The Principal Investigator shall obtain the approval of the higher authority before issue of — “opinion expressed“.
2. The expression of opinion is confidential to the applicant who will not publish it except with the prior approval in writing obtained from the Testing Authority.

NOTE: ANY MATTER NOT PROVIDED FOR IN THESE REGULATIONS SHALL BE REGULATED BY THE TESTING AUTHORITY IN THEIR DISCRETION