

Department of Food, Civil Supplies & Consumer Affairs
Legal Metrology Wing Punjab
AnaaJ Bhawan, Sector 39-C, Chandigarh-160036
Email : clmpunjab@gmail.com # 0172-2626172

Memo No. 1403

Dated, Chandigarh: 28/08/19

ORDER

The provisions regarding registration of Importers of weights or measures, prohibition on manufacture, repair or sale of weight or measure without licence and verification/stamping of weight or measure under Legal Metrology Act, 2009 are as under:

Section 19. Registration for importer of weight or measure: - No person shall import any weight or measure unless he is registered with the Director in such manner and on payment of such fees, as may be prescribed.

Section 23. Prohibition on manufacture, repair or sale of weight or measure without licence :- Section 23 (1) No person shall manufacture, repair or sell, or offer, expose or possess for repair or sale, any weight or measure unless he holds a licence issued by the Controller under subsection (2):

Provided that no licence to repair shall be required by a manufacturer for repair of his own weight or measure in a State other than the State of manufacture of the same.

Section 23 (2): For the purpose of sub-section (1), the Controller shall issue a licence in such form and manner, on such conditions, for such period and such area of jurisdiction and on payment of such fee as may be prescribed.

Section 24. Verification and stamping of weight or measure:- (1) Every person having any weight or measure in his possession, custody or control in circumstances indicating that such weight or measure is being, or is intended or is likely to be, used by him in any transaction or for protection, shall, before putting such weight or measure into such use, have such weight or measure verified at such place and during such hours as the Controller may, by general or special order, specify in this behalf, on payment of such fees as may be prescribed.

Section 33. Penalty for use of un verified weight or measure:- Whoever, sells, distributes, delivers or otherwise transfers or uses any unverified weight or measure shall be punished with fine which shall not be less than two thousand rupees but which may extend to ten thousand rupees and, for the second or subsequent offence, with imprisonment for a term which may extend to one year and also with fine

Similarly various relevant provisions of the Punjab Legal Metrology (Enforcement) Rules, 2013 are as under:

Rule 3 (2) On receipt of application for grant of license in the Form set out in Schedule IV, V and VI, it shall be examined in the office of the Controller and if it is found in order, the Controller shall issue a license to the Manufactures, repairer or the dealer, as the case may be, in form set out in Schedule VII, VIII and IX as the case may be.

Rule 3 (6) Every manufacturer, repairer or dealer licensed under this rule shall maintain workshop, equipments, tools or register etc as per terms and conditions of the license.

Rule 6 (2) Where any weight or measure is such that it cannot, or should not, be moved from it's location, legal metrology officer shall take necessary steps for the verification of such weight or measure at the place of its location.

(3) For the verification of weight or measure referred to in sub-rule (2), the user shall provide such facilities as may be specified by the Controller.

Rule 6 (5) Every weight or measure shall be verified in a clean condition, and if necessary, the legal metrology officer shall require the owner or user to make necessary arrangement for the purpose.

Further relevant provisions regarding Conditions of the Licence form LM-3 of Schedule-VII are as under:

Para 4- The manufacture shall comply with the conditions noted below. If he fails to comply with anyone of these, his license can be cancelled.

1 The person in whose favour this license is issued shall:-

- (a) Comply with all the relevant provisions of the Act and Rules for the time being in force;**
- (d) Comply with any general or special directions that may be given by the Controller of Legal Metrology;**


As per various provisions contained in above mentioned sections, rules and conditions of license, it is mandatory that no manufacturer/importer shall have sale, distribution, delivery or otherwise transfer or uses any weight or measure without verification and stamping from the concerned area Inspector of Legal Metrology department. Manufacturer/Importer shall maintained workshop, equipments, tools or register etc. and have to provide the facility for calibration/verification and stamping of weights or measures manufactured/imported by them. Further as per the conditions of the license issued to manufacturer he shall comply with all the relevant provisions of the Act and Rules for the time being in force and to comply with any general or special directions that may be given by the Controller of Legal Metrology.

In light of the legal provisions stated above and as per powers conferred by conditions of the license issued under Rule 3 (2) and Rule 6 (3) of Legal Metrology (Enforcement) Rules, 2013, I Amarjit Singh, Controller Legal Metrology Punjab hereby order that:

1. No manufacturer/importer/dealer shall sale, distribute, deliver or otherwise transfer or uses any weight or measure before verification and stamping from the local area Inspector of Legal Metrology as per provisions of section 24 (1) and 33 of Legal Metrology Act, 2009.
2. The manufacturer/importer shall maintain and provide all required equipment and facilities to the Legal Metrology Officer for calibration/verification and stamping of weight or measure at their premises.

In supersession of order issued vide Memo. No. 870 dated 21.05.2019, this order dated 20.08.2019 shall come into force with immediate effect.

Copy of the above be forwarded to all Assistant Controller, Inspectors Legal Metrology for information with the direction that this order be got supplied & got noted from manufacturer/importer falling under their respective jurisdiction. Copy of the order be also uploadad on website of the department as the order falls in the Public Domain. A copy be also supplied through whatsapp, Email & hard copy to all stakeholders.


(Amarjit Singh)
Controller
Legal Metrology, Punjab

Endst. No.

Dated, Chandigarh:

Copy of the above is forwarded to following for information:-

1. PS/ Hon'ble Food & Civil Supply Minister, Punjab.
2. PS/Ld Principal Secretary Food, Civil Supplies & Consumer Affairs, Punjab.
3. PA/ Director, Food, Civil Supplies & Consumer Affairs, Punjab.
4. PA/Director, Legal Metrology, Government of India, Krishi Bhawan New Delhi.

- Sd/-
(Amarjit Singh)
Controller
Legal Metrology, Punjab