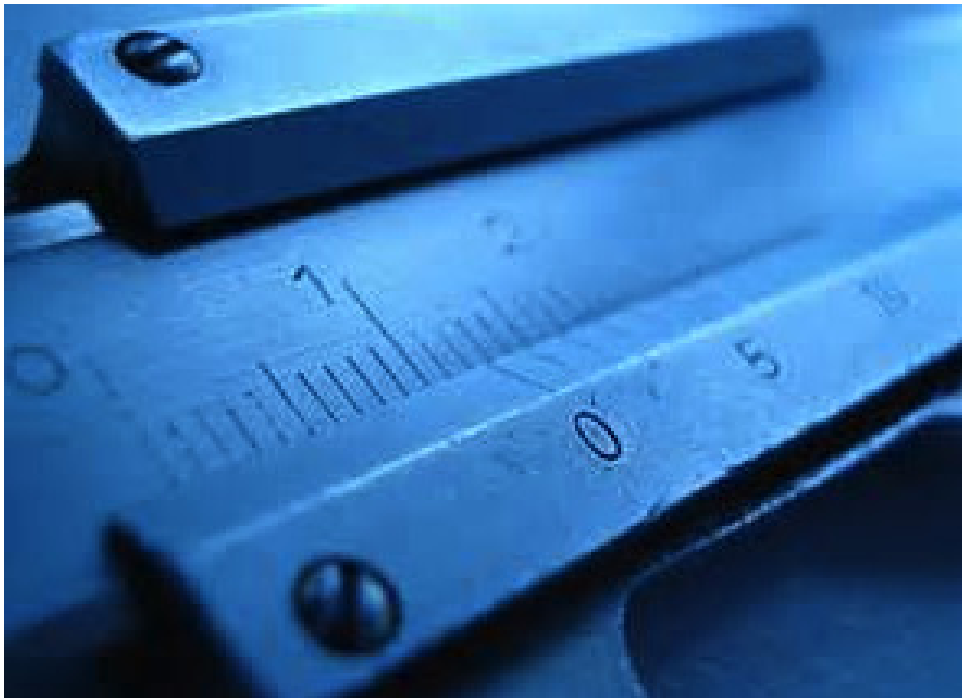




# **PUNJAB LEGAL METROLOGY MANUAL 2018**



**CONTROLLER LEGAL METROLOGY PUNJAB  
DEPARTMENT OF FOOD, CIVIL SUPPLIES & CONSUMER AFFAIRS  
GOVERNMENT OF PUNJAB**

## ***Buyers Beware***

- In case correctness of a weight is in doubt, consumers may see the bottom of the weight where the seal of the Inspector is affixed indicating the year and quarter of its verification. Every weighing and measuring instrument shall have the verifications mark of the Inspector. If it is not there or the year of the seal is old, then it is a case where complaint should be immediately made.
- While taking petrol at the dispensing pumps, one should ensure that the indication is brought to zero before delivery. A 5 litre conical measure is always available/kept at the Petrol Pumps so that consumer can check the quantity of diesel/petrol with the help of this measure.
- While taking kerosene from conical measure, the inside of the measure should be checked for any false bottom or foam etc. while delivery is taken, allow sufficient time for the foam to die down.
- While measuring gold/jewelry in the shop, make the seller weigh at least twice and see that the reading is repeated. The consumer should watch that the reading on the balance is not kept below the fan or cooler etc .The reading will get affected. Only Class II (High Accuracy) or Class I (Special Accuracy) balances are permitted to be used in jeweler's trade. Take a receipt for all your purchase.
- While buying vegetables from the Super Markets or big shops using electronic balances, please see that the rate of the particular vegetable is entered properly on the machine.
- Consumer movement should be created in the area and in case of any underweight detected, the matter must be brought to the notice of the Inspector, Weights and Measures.
- The beam has to be mounted on a stand and not to be held in hand.
- Keep a look out for the Inspector in your area. He should be contacted and informed in case of any fraud in measurement. In case of any problem related to weights and Measures, the Controller may be contacted at e-mail :clmpunjab@gmail.com

## **DISCLAIMER**

This is not a legal document. Its sole purpose is to present the Legal Metrology Act and its provisions in an easy to understand format. In case of a dispute, the language used in the Act and Rules will prevail.

## Message



I am glad to know that Legal Metrology Organization Punjab is coming up with a manual on Legal Metrology.

Legal Metrology Organization works for protection of health and public safety and ensures protection of consumer rights and fair trade practices. But, despite being an Organization of immense public importance, still much is desired to create awareness about it. Such a manual is a felt need of the hour. The document prepared by the Controller Legal Metrology is quite comprehensive and informative.

I am sure it will turn out to be a useful reference document for researchers interested in pursuing research in this area. As well it will help the people at large in ensuring consumers, aware of their rights in our society.

I extend my heartiest congratulations to Controller, the entire staff of Legal Metrology Organization for their success in this endeavour.

**K.A.P. Sinha, IAS**  
**Principal Secretary, Govt. of Punjab,**  
**Food, Civil Supplies and Consumer Affairs, Punjab.**

**PUNJAB LEGAL METROLOGY MANUAL,  
2018  
CONTENTS**

<b>CHAPTER</b>		<b>PAGE NO.</b>
	INTRODUCTION	2-14
I	ORGANISATIONAL STRUCTURE, POWERS, FUNCTIONS AND DUTIES OF INSPECTORS	15-20
II	LICENSES AND REGISTRATION	21-36
	REGISTRATION OF MANUFACTURER, PACKERS AND IMPORTERS OF PACKAGED COMMUNITIES	37-39
III	VERIFICATION AND STAMPING PROCEDURE	40-49
IV	MAXIMUM PERMISSIBLE ERRORS	50-66
V	INSPECTIONS	67-76
VI	PROSECUTION AND COMPOUNDING OF OFFENCES	77-92
VII	LANDMARK JUDGEMENTS	93-113
VIII	ANNEXURES AND SCHEDULES	114-209

# INTRODUCTION

Measurement provides objective information. Metrology is essentially the science of measurement. (Greek: Metron- measure and logos-study). Such requirements might arise from concerns for health, public safety, the environment, enabling taxation, protection of consumers and fair trade. The hallmarks of Metrology are:

- Accuracy
- Precision
- Reliability
- Traceability



## **Metrology Has Three Basic Activities**

- Definition of internationally accepted units of measurement.
- Realization of these units in practice.
- Application of chains of traceability, linking measurements made in practice to reference standards.

## **Metrology Has Three Basic Subfields**

- Scientific or fundamental metrology
- Applied or technical metrology
- Legal metrology-Activities which concern the statutory requirements regarding measurement.

## **Historical Perspective**

Every one of us follows some standards. It is the foundation on which our society is built. It is a universal phenomenon.

Weighing and measuring is perhaps second to only time in its impact on human life. May be even first, because time also needs to be measured. Almost everything we do, we are weighing and measuring at conscious or unconscious level.

Evidence of the use of balances and weights can be traced back to pre Egyptian times around 7000 B.C. For thousands of years, the equal arm beam scale has been the most widespread and accurate method of weighing known

to mankind. In India, as in every other ancient society, rudimentary weights and measures feature among the earliest tools invented by the people.

### **A Post Independence Retrospective**

The journey of currency metrication in India will make one go on a trip down the memory lane.

#### **The First Step:**

The first step undertaken was to reform the country's complex currency system. In September 1955 the *Indian Coinage Act* was amended to adopt a metric system of coinage. At that time one Indian rupee consisted of 16 annas. Each anna consisted of 4 pice and each pice consisted of 3 pies. In effect one rupee consisted of 192 pies. This probably had something to do with British influence, as available evidence suggests that currency systems in use in India prior to the advent of British rule in India were different. The Act came into force with effective from 1<sup>st</sup>

April 1957. The rupee remained unchanged in value and nomenclature. It, however, was now divided into 100 paisa instead of 16 annas or 64 pice. For public recognition, the new decimal paisa was termed 'naya paisa' (or new paisa) till 1<sup>st</sup> June 1964 when the term 'naya' was dropped.

From 15 August 1947 until 26 January 1950, the Indian Coinage structure was as follows:

<b>Rupee and its fractions</b>	<b>Annas</b>	<b>Pice</b>	<b>Pies(demonetized after 1947)</b>
Rupee	16 annas	64 pice	192 pies
Half rupee	8 annas	32 pice	96 pies
Quarter rupee	4 annas	16 pice	48 pies
1/8 rupee	2 annas	8 pice	24 pies
1/16 rupee	1 anna	4 pice	12 pies
1/32 rupee	Half anna	2 pice	6 pies
1/64 rupee	¼ anna	1 pice	3 pies

## **The Next Step**

Phase out of non-metric weights and measures - The metric system was progressively introduced in various fields in the country from 1<sup>st</sup> October 1960. On that date the use of metric weights in trade became compulsory in selected areas covering over 20% of the population of India. The use of metric weights over the entire country was allowed from 1<sup>st</sup> April 1960 and became compulsory throughout the country from 1<sup>st</sup> April 1962. Metric measures denoting capacity were introduced at the same time. By 1962 metric weights were being used in transactions involving the purchase of raw materials or sale of products of many major industries like cotton textiles, soap, chemicals, cement, iron and steel, etc. By this date the metric system was also in use in the distribution of petroleum products throughout the country. Metric managed to conquer the kitchen soon enough, with all kitchen implements and cookbooks in English, Hindi, and other Indian languages converted to metric by the mid-1960s.

The Indian railways in their commercial branches changed over to metric system from 1<sup>st</sup> April 1960.

All road signs were metricated by the mid-1960s when there were few motor vehicles in India - less than half a million vehicles then against over 40 million now. Speedometers and odometers had to change to kilometers. Nowadays nobody remembers miles anymore - it is viewed as an archaic measurement.

While road lengths are in metre and kilometer, road widths are popularly measured in feet however official documents use metre.

Since the 1980s, most if not all weather reports have been metricated. Temperature is almost always in degrees Celsius and rainfall is measured in centimeters and millimeters. However body temperature is still sometimes measured in degrees Fahrenheit.

The Gregorian calendar is followed in the country for all commercial purposes using the day-month-year format. However native calendars are occasionally used for religious purposes.

India is probably out of step with the rest of the world in one respect: "Lakh" and "Crore" are more commonly used than millions and billions even



in the English press. One Lakh is one-tenth of a million while one “Crore” is 10 million. While most countries are gradually phasing out non-standard numbering systems, “Lakh” and “Crore” continue to be widely used today in India even today.

While body mass is always measured in kilogram, body height is often measured in feet and inches although centimeter unit is being increasingly used in many documents.

Almost all types of industry in India operate exclusively in metric units. However a handful of industries like the construction and the real estate still use both the metric and the Imperial system.

### **Current Status of Imperial Units**

Imperial units that are long forgotten: Ounces, gallons, miles, pounds, pints, and quarts

Imperial units used along with metric equivalents: Inches, feet, yards (square yards for area), degrees Fahrenheit (Both metric and imperial units are popular)

Imperial units more popular: Acres (hectares are generally used only in government documents)

Indian experiment successfully followed in south Asia. India was one amongst the first countries in the developing world to metricate its economy, metrication has indeed helped to boost the country's exports and integrate it more easily with the world economy.

The phasing out of the remaining non-metric units in India will probably accelerate when the U.S., one of India's largest trading partners, finishes metricating its economy. When the remaining non-metric countries adopt the metric system, Imperial units will slowly fade away from public consciousness and the conquest of the SI as the world's only language of measurement will be complete.

### **Practical Aspect of Legal Metrology:**

Imagine the ordeal in selecting a book from the library without its catalogue or the plight of patients if doctor use non standard instruments of measuring temperature or heart beat. A driver anywhere in the world knows

the traffic signals. Who has not felt irritated by the seeming lack of standardization of clothes and shoes sizes? Anyone can imagine the stakes involved in the measurement of gold and diamonds. There are many situations in daily life where trade measurement transactions lack transparency:

- Petroleum sales to cars and other vehicles.
- Billing of telephone calls.
- Sale of grains by farmers on a weighing scale.
- Utility measurements like electricity and water.

As the country and the society evolved, it became necessary for government to protect consumers from unscrupulous traders. Also, they had to ensure that consistent and dependable measurements were carried out in areas like petroleum, mining and agriculture which were of substantial economic importance to the country. As contacts with the international community developed the international exchange of raw materials, goods, and communication made the system of weights and measures more complex. It therefore became necessary for India to use measurement systems in which both parties had confidence. This led to the adoption of measurement systems which comparatively were more accurate, consistent, and coherent.

First there was the Standard Weights and Measures Act, 1956 which brought the decimal and metric system into use. This was replaced by Standards of Weights and Measures Act, 1976 which was further replaced by the Legal Metrology Act, 2009.

### **Impact of Globalization**

Most developing countries have realized that in order to facilitate their business and trade, they have to set up measurement systems with a coherent structure that ensures, that measurements can be made in a constant, accurate, transparent, and internationally accepted manner, as this becomes a necessary precondition for-

- Lowering trade barriers
- Pursuing joint ventures
- Enforcing intellectual property rights

- Protecting property rights
- Reducing high import and export taxes
- Eliminating Government corruption and
- Observing the rule of law

Worldwide standards create the conditions of open trade which puts both the manufacturers and the consumers in a win-win situation

#### **Following Organizations Guide the Metrology Work In The World**

- BIPM(International Bureau of Weights and Measures)
- IEC(International Electrotechnical Commission)
- IFCC(International Federation of Clinical Chemistry)
- ISO(International Organization for Standardization)
- IUPAC(International Organization of Pure and Applied Chemistry)
- IUPAP(International Organization of Pure and Applied Physics)
- OIML(International Organization of Legal Metrology)
- ILAC(International Laboratory Accreditation)
- CGPM (General Conference on Weights and Measures)

#### **Drivers For Change**

Architecture of quality in India has to have two thrusts: first are the mandatory standards that ensure products and services do not endanger national security, health or the environment. These standards also ensure that no deceptive trade practices take place. There are certain sectors that are liable to regulation like food, drugs electrical appliances etc. These could be called minimum standards.

Second are the voluntary standards which the industry as a whole agrees to. These could be called maximum standards.

The drivers for change that are indicated below will result in India progressing from the present trade metrology infrastructure to a full legal metrology infrastructure which will result in us including things such as:

## **Transport**

Legal metrology's involvement in this area would be to ensure that legislation is in place to control the correct weightment of goods carrying trucks as also to stop overloading of vehicles. These regulations, which would require weighbridges used for weighing to be approved and verified at regular intervals, would correct a lot of pilfering be that of food grains, petrol or milk. Breath alcohol and speed measurement instruments will also be covered in the proposed regulations. These regulations give confidence in the measurements made, resulting in a reduction in the number of disputes. Taxi metering is another area of interest.

## **Water and Sanitation**

The legal metrology involvement in this area will be the instruments used in the metering to regulate the sale of water. Domestic as well commercial water metering needs to be regulated within India and we will have to concentrate on the pre-pay systems now being developed which include communal standpipes for rural water supply. The supply and sale of water in irrigation schemes is also an area which will have to be addressed in a similar manner.

## **Health**

In this area the involvement is the same as elsewhere, namely the creation of technical regulations and the approval and verification of medical instruments e.g. Temperature and Blood pressure measurements, quantities mentioned on medicines, injections, laboratory equipment etc.

## **Agriculture**

Ensure that technical regulations are in place to give confidence in the measurement of agricultural products assuring farmers of a fair deal and creating a sound basis for government to collect excise duties. Instruments for quality related measurements such as moisture meters will be included.

## **Environment**

This area is a politically sensitive area at the moment due to the pollution generated by industry and if rebates are to be considered as reward for countries which reduce emissions or sanctions are imposed, then legal

metrology needs to be involved in the measurement of such emissions. Environmental control on pollution like automobile exhaust gases need to be zealously followed. So do issues concerning human safety like speed radar control.

### **Technology**

Our task is twofold. First we have to understand the instrument. This is especially true in case of weighing and measuring equipment with electronic circuitry. The issue thus becomes 'What is an instrument'. This question is connected with software since if we do not know what software is, we do not know what the instrument is. So the issue is to identify what the instrument is, identifying what the software is, and 'sealing' the instrument in such a way that we have clarified what is the instrument under legal control. e.g. the totalizer in a diesel vending unit.

The second task would be to measure its accuracy.

### **Present Scenario**

The state metrological compliance system was developed to provide through legislative requirement, trust and confidence in the measurements and minimum disputes and transaction costs. Elements of the system included pattern approval of measuring instruments to ensure they were fit for the purpose and third party audit and inspection of the instruments to ensure accuracy and detect fraud.

Through the Legal Metrology Act, 2009, Central government in India thus has put in place a system to deal with requirements of:

- Units of measurement
- Methods of measurement
- Measuring instruments and measurement results.

### **This Is Achieved Through**

1. Regulations of weights and measures used in trade and commerce for transaction and protection.
2. Registration for Importers of weights and measures.
3. Approvals of Models of weights and measures.

4. Regulations of Pre-packaged Commodities.
5. Regulations of Government Approved Test Centre.

**The Salient Features Of The Act Are As Follows:**

Every unit of weight or measure shall be in accordance with the metric system based on the International System of Units.

**The Base Unit Of-**

- Length shall be the metre.
- Mass shall be the kilogram.
- Time shall be the second.
- Electric current shall be the ampere.
- Thermodynamic temperature shall be the Kelvin.
- Luminous intensity shall be the candela.
- Amount of substance shall be the mole.

**For The Implementation of Legal Metrology Act, 2009 the Following Rules Have Been Framed By the Central Government As Per Powers Conferred Under Section 52 :-**

- The Legal Metrology (Packaged Commodities) Rules, 2011
- The Legal Metrology (Approval of Models) Rules, 2011
- The Legal Metrology (Numeration) Rules, 2011
- The Legal Metrology (General) Rules, 2011
- The Legal Metrology (National Standards) Rules, 2011
- The Indian Institute Of Legal Metrology Rules, 2011
- The Legal Metrology (Government Approved Test Centre) Rules, 2013

The respective State Governments have also framed their State Legal Metrology (Enforcement) Rules for the implementation of the Act. As such, as per the rule making powers of the state, conferred under Section 53 of The Legal Metrology Act, 2009, Government of Punjab has framed, **The Punjab Legal Metrology (Enforcement) Rules, 2014.**

Regional Reference Standard Laboratories situated at Ahmadabad, Bangalore, Bhubaneswar, Faridabad and Guwahati. These laboratories are working as a central agencies between apex laboratory and State Government Laboratories for traceability of standards. These laboratories are also responsible for the testing of models of weights and measures, verification of

Secondary Standards of State Government, calibration of sophisticated weighing and measuring instruments, consumer awareness program etc.

### **The Important Organizations In This Regard Are**

1. Bureau of Indian Standards (BIS)
2. National Physical Laboratory (NPL)
3. Directorate of Legal Metrology (DLM)
4. National accreditation Board for Certification Bodies (NABCB)
5. National Accreditation Board for Education and Training (NABET)
6. National Accreditation Board for Hospitals and Healthcare Providers (NABH)
7. National Accreditation Board for Testing and Calibration Laboratories (NABL): This works under the aegis of Department of Science and Technology and undertakes the assessment and accreditation of testing and calibration laboratories in accordance with International Standards , ISO/IEC/17025 and ISO15189. Regulators such as BIS etc. are appointed by the Ministry of Consumer Affaires but do not directly deal with legal metrology.

### **Milestones**

1. Success in eradicating non standard weights and measures
2. Accuracy in net content of packaged commodities
3. Ensuring trust in weighbridges
4. Sealing electronic dispensing pumps

A lot is being done in terms of medicines and drugs as their batch no; date of manufacturing contents etc. can be tracked. Similar exercise can be made operational in a host of products specially food.

ISO/IEC17025 is for calibration and testing laboratories have been formulated and adopted by India through IS (Indian Standard) and reissued by BIS as IS/ISO/IEC/17025.

### **The Challenges**

We have to understand the challenges that are typical to India. These constraints affect all states in an almost equal measure because these can be observed across the board:

1. The regional measures of area like kanal, marla, hectare, acre, gaz, furlong and measuring Volumes in ounces and gallons.
2. Non-standardized packaging by a very large number of micro and cottage industry level entrepreneurs. Our expectations of quality and quantity standards adherence from the large scale enterprises cannot be the same as that of unorganized micro and small enterprises.
3. Lack of certification agencies.
4. The media is not held responsible for giving incorrect or deceitful information.
5. There are issues of inter-state trade barriers.
6. Increasingly sophisticated products have flooded the market which needs sophisticated equipment to test and analyze e.g. Electronic scales, petrol vending machines, radars.
7. The manufacture of legal measuring instruments is becoming concentrated in highly industrialized countries and increasingly controlled by multinational companies who are supplying to the world market. This is bad news for local manufacturers of metrology related equipment. New techniques require new and expensive test equipment, which may not be economically viable, especially for a developing country like India.
8. Ensuring 100 % compliance of import related laws from Importers to ensure that taxes are levied at the port of entry and a mandatory requirement to custom clearance of all kinds of weights and measures is an area of stark failure.



## **Constraints**

Today, the climate for legal metrology authorities is not favourable. The fundamental nature of the regulatory role of the government is not well understood by the community in general, and legal metrology in India in its present form is in the danger of being dismissed as something which creates rather than removes unnecessary barriers to trade.

### **The Constraints Exist At Two Levels**

First are the obvious Systemic constraints in terms of manpower, infrastructure, other supporting facilities like computers, equipment, training and technical knowledge and specialized skills.

The second are the Psychological Constraints. There are four areas where a lot of deficit needs to be made good

1. Trust deficit
2. Dignity deficit
3. Facilitation deficit
4. Citizen empowerment deficit.

### **The Punjab Scenario**

In Punjab, there are approximately 90 manufacturers, 553 dealers and 242 repairers, licenses of weights and measures. There are about 1.6 Lakh industrial units which comprise of 452 large and medium scale enterprises and 1,56,518 small scale units. It is estimated that the state has about one Lakh commercial establishments which are using weights, measures, weighing and measuring instruments.

The role of private sector in stamping and verification needs to be understood in proper perspective and the monopoly of the government in this regard has to go. India needs to have an effective trade measurement system underpinned by an internationally acceptable legislative framework. By putting in place a Technical Regulation framework which meets international best practices and ensuring a uniform implementation which will in turn ensure an effective trade measurement system, Legal Metrology Department in India will have assisted greatly in creating a solid basis from which industry

can grow. An efficient and internationally acceptable legal metrology framework would be advantageous to India in many ways like:

- Basis for increased export of commodities.
- Confidence in measurements.
- Increased productivity.
- Increased job opportunities

Legal Metrology thus should be no longer considered as just 'weights and measures' but as a science which is indispensable in areas like human health and safety, resource and environmental control, and other domains where good measurements also serve as a basis of a good way of life.

# **CHAPTER I**

## **ORGANIZATIONAL STRUCTURE POWERS, FUNCTIONS AND DUTIES OF INSPECTORS**

Legal Metrology Organization in a State deals with the implementation and enforcement of The Legal Metrology Act, 2009 and Rules made there under. It is essentially a 3-tier organization comprising of Inspector at Centre level in the field, Assistant Controllers Legal Metrology at the Divisional level and with Deputy Controller and Controller Legal Metrology at the State level.

The Department on one hand makes regular inspections to ensure that provisions of various Acts/ Rules are observed by service providers and on the other hand file complaints against the persons who violate the provisions of the Act and Rules in the court of law. If the complaint is proved, the court can either fine or imprisonment or both for different offences as prescribed.

The violators of the provisions of the Act and Rules made there under not only include the private persons but also include the government enterprises like Railways, Airports and Post offices etc. As noted, one of the salient features of the Act is, that every unit of weight or measure shall be in accordance with the metric system based on the international system of the units. The Legal Metrology Act, 2009, thus prohibits the use of any unit of weight, measure and numeration except in conformity with metric system. The Legal Metrology Organization in State of Punjab functions under the Administrative control and supervision of Department of Food, Civil Supplies and Consumer Affairs since the year 2005. The Controller is head of this organization with Deputy Controller, Assistant Controller and Inspector working under his supervision and administrative control.

### **The Existing Administrative Processes**

1. Model Approval: The Model Approval issuing authority is the Central Government.

2. Verification: The verification of weights and measures is undertaken by State Government officials of Legal Metrology Department who establish conformance to legal metrology specifications prescribed.
3. Inspection: Inspection of commodities and measuring instruments is done by the government officials, as prescribed.
4. International and Regional liaison: India is at present an OIML Member State
5. Training: The functional training is presently imparted in house at the Indian Institute of Legal Metrology at Ranchi(Jharkhand) which has been established by the Government of India.

Enforcement staff of the legal metrology while giving effect to the provisions of the Legal Metrology Act, 2009 and Rules framed thereunder including the Punjab Legal Metrology (Enforcement) Rules, 2013, protect the rights and interest of consumers as follows:

1. **Verification of Weights & Measures:** Weights & Measures used in any business, transactions including Government and Semi-Government are required to be verified and stamped. The Inspector puts verification stamp on all correct and verified weighing & measuring instruments used by traders.
2. **Inspection:** Enforcement Staff are required to visit each and every Market places, Business Centre, Industrial Centre, Government Godowns, FPS Dealers, Petrol Pumps, Wholesale Dealers as well as Retail Shops etc. to see whether their weights & measures being used or kept for use, are correct and verified, or not. If they find any faulty or unverified weights & measures, legal action is to be initiated.
3. **Enforcement of Packaged Commodities Rules:** The Enforcement officials are required to inspect each and every shop dealing with Commodities in Packaged Form, to see whether the manufacturers or packers complied with the rules in regard to the declaration, package size and net content and also whether the dealer sales within the maximum retail price (MRP).

4. **L.P.G:** The Enforcement Staff have to check LPG cylinders from bottling plant, up to the delivery to the consumers, to avoid issues of underweight cylinders, due to pilferage and leakage. All such defective cylinders detected are sent back to the plant for refilling after completion of all legal formalities.
5. **Petrol Pumps:** The discharge of Motor Spirit and High Speed Diesel Dispensing Pumps requires verification once in every year. The Pumps are required to be inspected regularly to see the correctness of its delivery. Besides this, all the incoming of Motor Spirit and High Speed Diesel carried by Tank Lorries are checked, verified and calibrated by the Inspectors.
6. **Laboratories:** The Department has established Secondary Laboratories with Assistant Controller at Divisional level, for verification of Working Standards and working standards Laboratories (portable), with every Inspector, for verification of weights, measures, measuring and weighing instruments used by traders in any transaction or for protection.
7. **Registration of Importers, Manufacturers and Packers:** The Department registers Importers, Packers and Manufacturers as per Package Commodities Rules. After the registration, the importers repack their imported package goods with declarations as prescribed under the Act & Rules. The foreign goods without declarations as prescribed, found in the markets are liable to be seized for taking legal action.
8. **Issue of License:** The Legal Metrology Department issues licenses to manufacturers, repairers and dealers of weights & measures in the State. All the products/imported items of weights & measures imported/manufactured sold or delivered by the Licensee Manufacturers/Importers/Dealers have to be verified and stamped before it is sold to the consumers.

The basic objective of the organization is to protect the interest of the consumer and to earn non tax Government revenue in the form of service charges, verification fee, registration fee, license fee, compounding fee etc.

The organization also conducts effective enforcement for the statutory declaration on the packaged commodities besides checking their net contents.

### **Powers, Functions And Duties Of The Controller And Other Legal Metrology Officials**

1. **Controller, Legal Metrology:** The Controller Legal Metrology is over all authority of the Department. He/She exercises overall supervision, formulates programs and policies under the Act & Rules. He/She is the authority to compound cases booked for violation of the Act & Rules. He exercises control, constant monitoring and effective supervision of the working of the organization within the State. The controller acts as the appellate authority u/s 50 (1) (d) of the Act for the actions/orders of the Legal Metrology Officers. Every decision given or the orders passed by the Controller, not being an order made in appeal under clause (d), are appealable to the Principal Secretary, Food Civil Supplies & Consumer Affairs, who is the appellate authority, as per the provisions of section 50 (1) (e) of the Act within the stipulated time frame.
2. **Deputy Controller, Legal Metrology:** His function is general supervision, review and monitoring, the office work of staff at Head Office and work of Assistant Controllers and Inspectors Legal Metrology in respect of test/checks of articles of weights & measures, conduct regular and surprise inspections and exercise proper control, constant monitoring and effective supervisions. He helps the Controller to authorize the Subordinate Officers to file charge sheets against erring traders, manufacturers and packers etc. He is the compounding authority specially authorized by the Controller, under section 48(3) of the Act for cases booked for violation of Legal Metrology Laws. He also exercise the DDO ( Drawing and Disbursing officer ) power at Head Office , when authorised by the Controller.

3. **Assistant Controllers, Legal Metrology:** They are Divisional Officers exercising general control and supervision over the working of Legal Metrology under their jurisdiction and assist the Superior Officers in the Headquarters. They supervise the works of Inspectors and collect and examine various reports submitted by them. They are also compounding authorities as authorized by Controller, of cases booked by themselves or Inspector within his jurisdiction. They also exercise DDO (Drawing and Disbursing Officers) powers at Divisional Level.
4. **Inspectors:** They are incharge of their respective jurisdictions for the Enforcement of provisions of Legal Metrology Act, 2009 and Rules made there under. They are doing periodical verification and stamping of weights, measures, weighing and measuring instruments within their jurisdiction. They are Investigating Officers and Prosecuting Authorities in cases booked under the aforesaid enactments. They conduct periodical surprise inspections/raids in the premises of traders and industries. They also conduct constant checks of Packaged Commodities as prescribed at retail sale, wholesale and manufacture level.
5. **Manual Assistants:** They assist the Inspector in all manual works in office during verification and inspection. They maintains the Working Standards Laboratory equipments and other official records of their Inspector`s office. They help in, dealing with record/ files and all the official correspondence. They make monthly statements of checking and inspections, update weekly cashbooks, issue notices to shopkeepers for getting their weights and measures verified, coordination during camps/ field checking, and preparing receipts and certificates and presenting the same for the approval of the Inspector and depositing verification fee in bank etc.
6. **Appellate Authority** The appellate authority in terms of Sections 50 of Legal Metrology Act, 2009, is the State Govt. or any officer specially authorized by the Govt. Presently, worthy Principal Secretary, Govt. of Punjab, Department of Food Civil Supplies &

Consumer Affairs is the Appellate Authority u/s 50 (1) (e) of the Act. He entertains all the appeals against the orders or actions of the Controller. The Controller Legal Metrology acts as the appellate authority as per provisions of section 50 (1) (d) in case of actions/orders of the Legal metrology Officers. Every decision given or the orders passed by the Controller, not being an order made in appeal made under the section 50(1) (d) are appealable to the Principal Secretary, Govt. of Punjab , Department of Food Civil Supplies & Consumer Affairs in terms of provisions of section 50 (1) (d ) of the Act.

As per the Rule 16 of the Punjab Legal Metrology (Enforcement) Rules, 2013, every appeal under clause (d) and (e) of sub section (1) of Section 50 of the Act shall be preferred in the Form set out in SCHEDULE-XVIII of rule 16 of said rules,2013and shall be accompanied by copy of order appealed against and fee of Rs. 500 for appeal to the Government or Rs 200 to the appeal to Controller to be paid either in cash or by affixing court fee stamp for the said value.



## **CHAPTER II**

### **LICENSES AND REGISTRATIONS**

For dealing in weights and measuring instruments, obtaining of license is must. The Department of Legal Metrology, Punjab issues licensees to manufacturers, dealers and repairers of weights and measures.

Every license issued or renewed is required to be displayed at conspicuous place in the premises where the licensee carries on business. A license so issued or renewed cannot be transferred or sold out.

The Controller of Legal Metrology is the competent authority to grant such a license. Section 23 of the Legal Metrology Act, 2009 read with Rule 3 of the Punjab Legal Metrology (Enforcement) Rules, 2013 provides that every manufacturer, repairer or dealer of weights and measures shall make an application for issue of a license to the Controller or such other officers as may be authorized by him in this behalf. However, no license to repair shall be required by a manufacturer for repair of his own weight or measure manufactured by him and used in the State other than the State of manufacture of the same. In such a case the manufacturer has to inform in advance to the concerned Inspector about the repairing.

While considering the application for issuance of the license to manufacturer, dealer or repairer the guidelines issued by the office of the Controller Legal Metrology Punjab vide memo no. M/R/D/2013/3832-34 dated 22.11.2013, be followed, which are annexed at **ANNEXURE-1**.

<b>New License</b>							
<b>Sr. No.</b>	<b>Type of License</b>	<b>Application Form</b>	<b>Fee Per year Rs.</b>	<b>Form Can be submitted to</b>	<b>Issuing and Approving Authority and Form</b>	<b>Security Rs</b>	<b>Record to be maintained</b>
1.	Manu- facturer	LM1, Schedule- IV	5000	Inspector/AC/ Controller	Controller (LM3)	-	LM4
2.	Repairer	LR1, Schedule- V	2000	Inspector/AC/ Controller	Controller (LR3)	5000	LR4
3.	Dealer	LD1, Schedule- VI	1000	Inspector/AC/ Controller	Controller (LD3)	-	LD4
4.	Alteration In license		200	Inspector/AC/ Controller	Controller	-	
5.	Duplicate license		100	Inspector/AC/ Controller	Controller	-	
<b>Renewal of License</b>							
1.	Manufacturer	LM2, Schedule- IX,	5000	Inspector	Controller	-	LM4
2.	Repairer	LR2, Schedule- X	2000	Inspector	Controller	-	LR4
3.	Dealer	LD2, Schedule- XI	1000	Inspector	Controller	-	LD4

#### **LICENSE TO MANUFACTURER:**

The Controller Legal Metrology can issue license to manufacturer of weight or measure under Rule 3 of the Punjab Legal Metrology (Enforcement) Rules, 2013. An application on the prescribed Performa as provided in SCHEDULE IV of the Punjab Legal Metrology (Enforcement) Rules, 2013, along with documents as per guidelines mentioned in forthcoming paragraph

for issuing of such a license can either be made directly to the Controller or to the Legal Metrology Officer of the concerned district. In case application is submitted to the Legal Metrology Officer of the concerned district, such officer shall scrutinize the application and documents attached therewith and after conducting due investigation, along with report/ comments as inspection officer, as required under column 3 of application form, submits the same to the Controller along with his investigation report through his/her Assistant Controller. In case of the application being submitted directly to the Controller at the Head Office, the Head Office after scrutinizing the application and documents attached therewith shall assign the work of further investigation to the Legal Metrology Officer of the area where the manufacturing unit is situated.

While investigating the LMO shall see if the application is on the prescribed application form and supported by the following documents:

1. Proof of the legal title of the premises, attested copy of the sale deed/ allotment letter, property tax receipt or rent receipt and NOC from the owner.(It is advisable that the investigating officer, while recommending the proposal shall make specific remarks of the area occupied by such unit, It is desirable that area of such unit should not be less than 100 m<sup>2</sup>)
2. Tools and Equipments list.(With Purchase Bill)
3. List of testing equipments.(With Purchase Bill)
4. Copy regarding constitution of the firm.(In case of the partnership firm, registration certificate alongwith partnership deed and in case of the company, its registration certificate under company Act along with copy of Article of Associations and Memorandum of Understanding be filed.)
5. Experience certificate and Certificate of Diploma in Engineering
6. M.C.L. / Original Lal Dora Certificate.
7. Copy of the Literature of the items to be manufactured.
8. Trademark/ monogram registration certificate
9. Proof of financial status.

10. Proof for Power Load Sanctioned/ Installed/ energized by PSPCL (Punjab State Power Corporation Ltd.).
11. Copy of permanent SSI Registration.
12. List of skilled, unskilled workers with their names & addresses.
13. Model Approval Certificate, if applicable.

After verification of documents so attached with the application and investigations in detail, the inspecting officers shall submit a report along with the application, with his findings/ observations and recommendations within 15 days to the concerned authority through the concerned Assistant Controller. While doing so, he shall follow the guidelines issued to this effect from time to time by the Controller Legal Metrology.

After receipt of the investigation report, if the licensing authority is of the opinion that license can be issued considering the investigation report, he shall constitute a committee of at least three members for conducting the samples inspection for technical ability test of the applicant and the committee shall consist of licensing authority or his nominee, an Assistant Controller and an Inspector. The said committee will conduct the technical ability test as specified by the Controller within 7 days or with such extended period of not more than 7 days with proper communication to the applicant. The Committee after completion of such technical ability test will submit its report to the licensing authority, who after considering the said report along with the report received from the Inspecting officer, if arrives at the conclusion and is satisfied that the applicant fulfill all the requirements, his/her application should be considered for grant of license.

The decision of the licensing authority then shall be communicated to the applicant asking him/her to deposit the license fee as prescribed in SCHEDULE X of the Punjab Legal Metrology (Enforcement) Rules, 2013.

**After receipt of the license fee the licensing authority shall issue license in respective form as provided in SCHEDULE VII of the Punjab Legal Metrology (Enforcement) Rules, 2013 within 7 days.**

**If the license is refused due to non compliance of all or any of the requirements, the decision duly reasoned shall be communicated to the applicant within a period of 7 days.**

**The process of issuing a license, as far as possible should be completed within the period of one month or with in such extended period of not more than 15 days, with reasonable cause**

Intimation regarding issuance of license shall be communicated to the concerned Legal Metrology Officer for the information and record.

#### **LICENSE TO REPAIR:**

An application on the prescribed Performa as provided in SCHEDULE V of the Punjab Legal Metrology (Enforcement) Rules, 2013 along with document mention in forthcoming Para for issuance of a license to repair can either be made directly to the Controller or to the Legal Metrology Officer of the concerned area. In case application is submitted to the Legal Metrology Officer of the concerned area, such officer shall scrutinize the application and documents attached therewith and after conducting due investigations, along with report/ comments as inspection officer, as required under column 3 of application form, be forward to the Controller along with his investigation report through the concerned Assistant controller. In case of the application being submitted directly to the Controller at the head office, head office after scrutinizing the same and documents attached therewith, shall assign the work of further investigation to the Legal Metrology Officer of the area concerned where the repairing workshop is situated.

While investigating, the Legal Metrology Officer shall see if the application is on the prescribed application form as provided in SCHEDULE V of the Punjab Legal Metrology (Enforcement) Rules, 2013 and supported by the following documents.

1. Proof of Legal title of the workshop premises (attested copy of the Sale Deed/ Lease Deed/ allotment letter/property tax receipt)
2. Rent receipt/NOC from the owner.
3. Tools and equipment list with proof of procuring the same.
4. Test equipment.

5. List of loan articles with verification certificate.
6. Copy of the constitution of the firm.
7. Experience certificate and Certificate from ITI in relevant trade.
8. Site plan.
9. Memorandum of Articles in case of Private Limited Company and Limited company.
10. List of skilled and unskilled workers with name and address.

After verification of documents so attached with the application and investigations in detail, the inspecting officer shall submit a report along with the application with his findings/ observations and recommendations within 15 days to the concerned authority. While doing so he shall follow the guidelines issued to this effect from time to time by the Controller of Legal Metrology.

After receipt of the investigation report, if the licensing Authority is of the opinion that license can be issued considering the investigation report, he shall constitute a

Committee of at least three members for conducting the technical ability test of the applicant. The committee shall consist of licensing authority or his nominee, an Assistant Controller and an Inspector. The said committee will conduct the technical ability test as specified by the Controller within 7 days or within such extended period of not more than 7 days with proper communication to the applicant. The Committee after completion of such technical ability test, shall submit its report to the licensing authority who after considering the said report along with the report received from the Inspecting officer, if arrives at the conclusion and is satisfied that the applicant fulfils all the requirements, his/her application should be considered for grant of license.

The decision of the licensing authority then shall be communicated to the applicant asking him/her to deposit the license fee as prescribed in SCHEDULE X of the Punjab Legal Metrology (Enforcement) Rules 2013.

**After receipt of the license fee, the Licensing Authority shall issue license in respective form as provided in SCHEDULE VIII of the Rules within 7 days.**

If the license is refused due to non compliance of all or any of the requirements, the decision duly reasoned shall be communicated to the applicant within a period of 7 days.

**The process of issuing a license, as far as possible shall be completed, from the date of receipt of application ,within a period of one month or with in such extended period of not more than 15 days, with reasonable cause**

Intimation regarding issuance of license shall be communicated to the concerned Legal Metrology Officer for the information and record.

### **LICENSE TO DEALER:**

Application for issuance of license to dealer can also be made either directly to the Controller or to the Legal Metrology Officer of the concerned area, in the Performa for the application prescribed in SCHEDULE VI of the Punjab Legal Metrology(Enforcement) Rules, 2013, along with supporting documents mentioned in the forthcoming Para.

In case application is submitted to the Legal Metrology Officer of the concerned area, such officer shall scrutinize the application and documents attached therewith and after conducting due investigations forward the same to the Controller along with his investigation report. In case of the application being submitted directly to the Controller at the Head Office, head office after securitizing the application and documents attached therewith, shall assign the work of further investigation to the Legal Metrology Officer of the area where the establishment is situated.

While investigating, the Legal Metrology Officer shall see if the application is on the prescribed application form as provided in SCHDULE VI of the Punjab Legal Metrology (Enforcement) Rules 2013 and supported by the followings documents:

1. Proof of the legal title of the premises like attested copy of the Sale Deed. Lease Deed/ Allotment Letter/ Property Tax receipt.
2. Rent receipt/NOC from the owner.
3. Copy of the Constitution of the firm.

4. Proof of the financial status.
5. Site plan.
6. Memorandum and Articles of Association in case of Private Limited Company and Limited Company.
7. Sales Tax/VAT Registration Number, if registered.
8. If the applicant intends to import weight and measure: Model approval certificate and registration as importer of weight and measure.
9. Electrical energy: Latest electrical bill.

After verification of documents and investigation in detail, the inspecting officer shall submit a report along with the application with his findings, recommendations and observation within 15 days to the concerned Assistant controller. While doing so, he shall follow the guidelines issued to this effect from time to time by the Controller of Legal Metrology. After due consideration of the investigation report, if the Licensing Authority arrives at the conclusion and is satisfied that the applicant fulfils all the requirements, his/her application should be considered for grant of license. Such decision of the Licensing Authority then shall be communicated to the applicant asking him/her to deposit the license fee as prescribed in SCHEDULE X of the Punjab Legal Metrology (Enforcement) Rules 2013. **After deposit of the license fee, the licensing authority shall issue license in respective form as provided in SCHEDULE IX of the above said Rules within 7 days.**

**If the license is refused due to non compliance of all or any of the requirements, the decision along with reason shall be communicated to the applicant within a period of 7 days. The process of issuing of license, as far as possible should be completed, from the date of receipt, within period of one month or with in such extended period of not more than 15 days, with reasonable cause.**

Intimation regarding issuance of license shall be communicated to the concerned Legal Metrology Officer for information and record.

Where manufacturer is also a dealer the Controller being the Licensing Authority shall follow same procedure as above.



#### **MAINTAINING OF REGISTER:**

The Controller shall maintain a register of licensed manufacturers, repairs and dealers in the form as set out in SCHEDULE XIV as prescribed under the Punjab Legal Metrology (Enforcement) Rules, 2013.

#### **VALIDITY OF LICENSE:**

Every new license issued to the manufacturer, repairer or dealer shall be valid for a minimum period one calendar year and may be renewed for a period of 1 to 5 calendar years by the Controller on payment of necessary fee as specified in SCHEDULE X of the Punjab Legal Metrology (Enforcement), Rules 2013. Presently the licenses are renewed for two calendar years.

#### **RENEWAL OF LICENSE:**

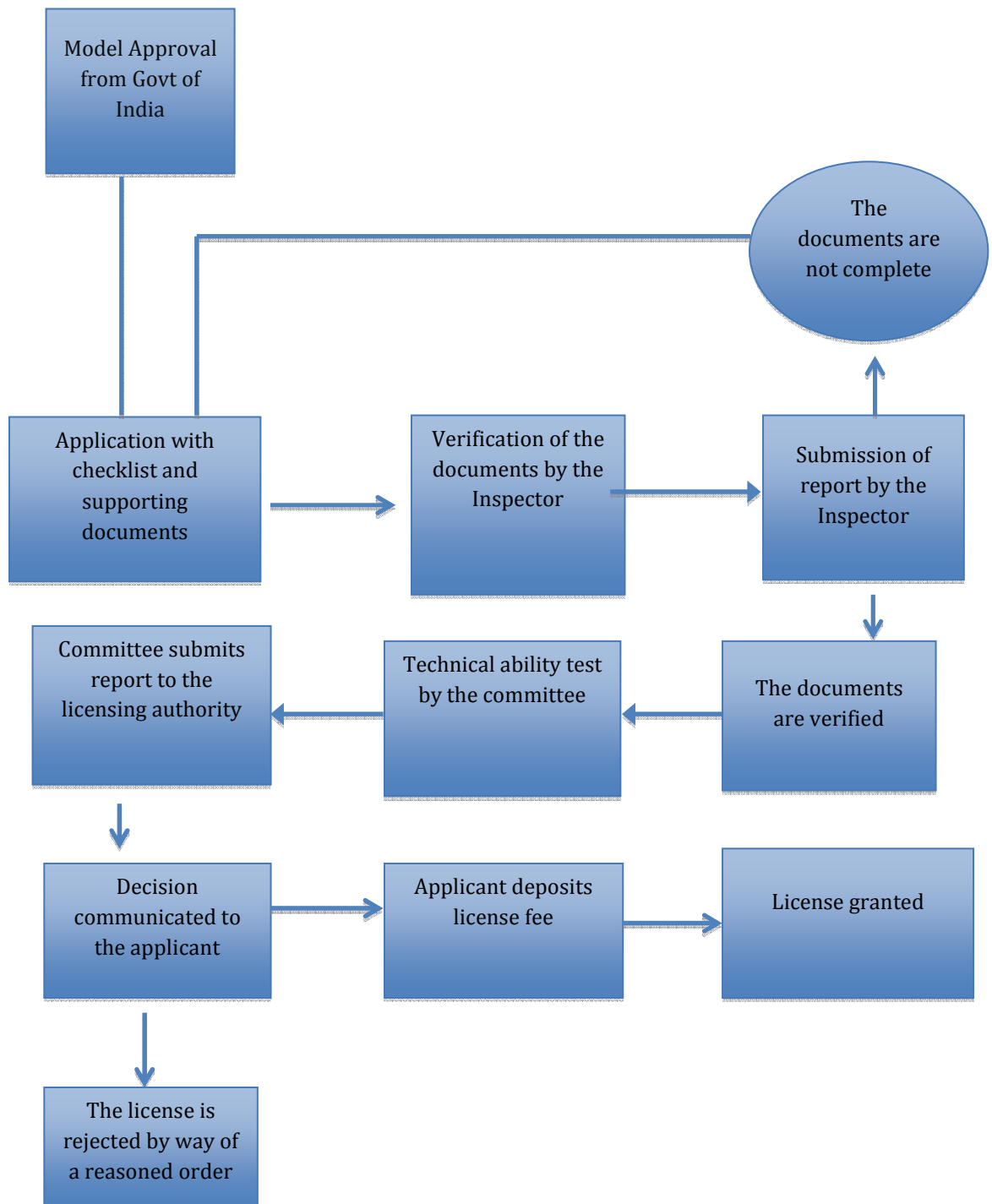
It is mandatory under the rules that **the licensee shall make an application for renewal of license at least 30 days before the expiry of validity of license**, to the Controller in the prescribed form as provided in SCHEDULE XI, XII and XIII of the Punjab Legal Metrology (Enforcement) Rules, 2013.

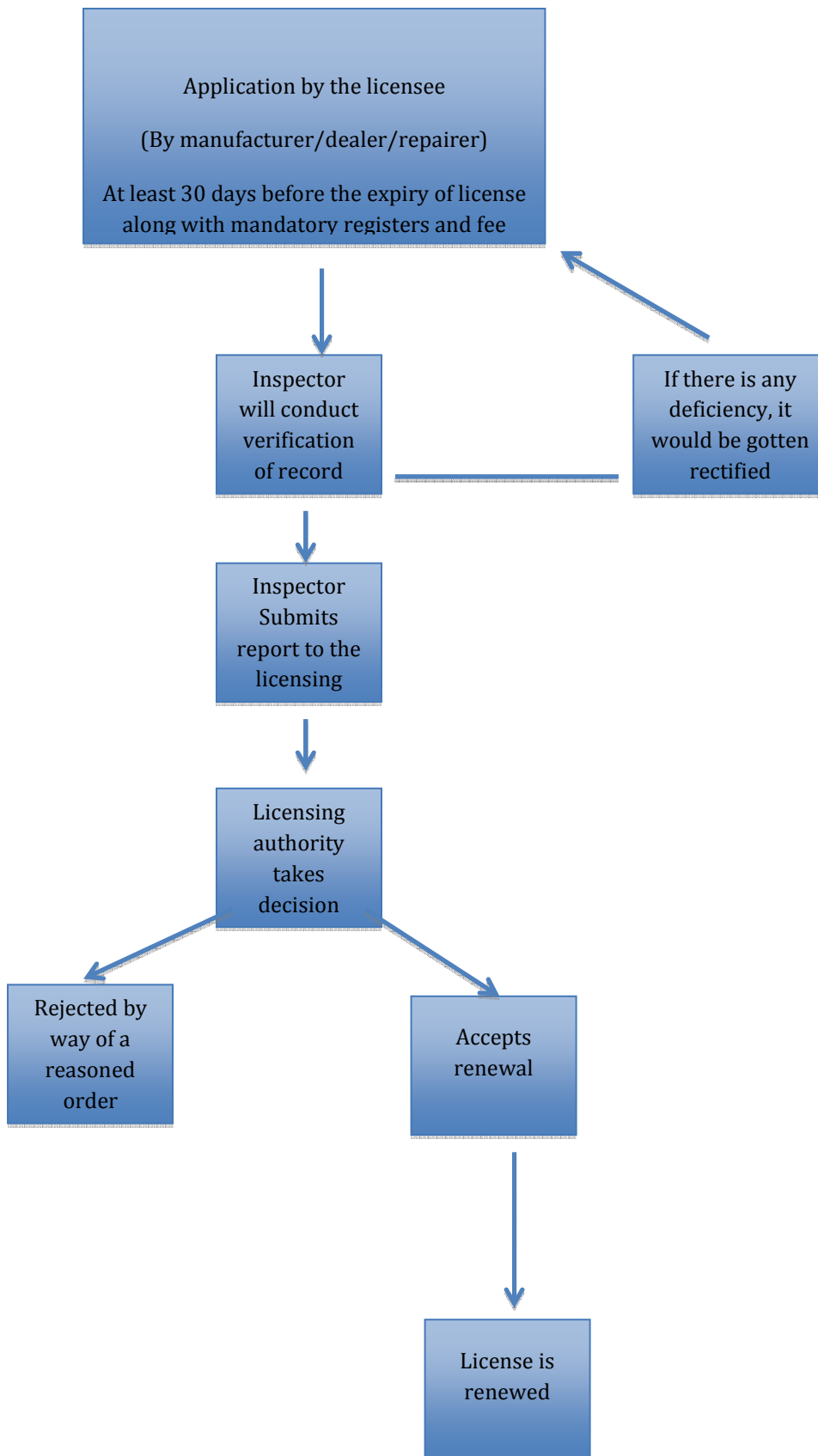
The Controller has power to allow a licensee to make an application for renewal of license after expiry of validity of license but such an application can be made before expiry of 3 months from such expiry on payment of additional fee at half the rates as specified in amended SCHEDULE X of the Punjab Legal Metrology (Enforcement) Rules, 2013.

After receiving the application for renewal, the Licensing Authority shall refer the application to the concerned Inspector for verification and investigation. **After receiving the application for investigation, the Inspector shall communicate the date for investigation to the licensee within 3 days. The process of verification and investigation has to be complete within 15 days. For renewal of licenses all the process shall be completed within 45 days after receiving the complete application.**

While investigating, the Legal metrology Officer/Inspector shall see if the application is on the prescribed application form as provided in SCHEDULES XI, XII and XIII of the Punjab Legal Metrology (Enforcement) Rules, 2013 and supported by the following documents:

## PROCESS OF ISSUANCE OF LICENSE AND RENEWAL





## **I. RENEWAL OF MANUFACTURING LICENSE:**

The license renewal application shall be furnished in the prescribed Performa as provided in SCHEDULE XI of the Punjab Legal Metrology( Enforcement) Rules, 2013, with the following supporting documents/paper etc.

1. Proof of continued legal possession.
2. Change in constitution of the firm, if any.
3. Statement of stock and sales in form LM-4 as specified in SCHEDULE I, duly verified by the area Inspector.
4. All the documents as required for fresh license except experience certificate/ copy of the literature of the item being manufactured/ Lal Dora Certificate/MCL.
5. List of workers skilled & unskilled with names and addresses.
6. Attested copy of renewed M.C.L. certificate where required.
7. Prescribed license renewal fee receipt.
8. Sales Tax/VAT registration number, if registered.

## **II. RENEWAL OF REPAIRING LICENSE:**

The license renewal application shall be furnished on the prescribed performa as provided in SCHEDULE XII of the Punjab Legal Metrology (Enforcement) Rules, 2013 with the following supporting documents/papers:

1. Proof of the legal title of the premises (attested copy of the sale deed/lease deed/ allotment letter/ property tax receipt.)
2. Rent receipt/NOC from the owner.
3. Tools and equipment list.
4. Test equipments.
5. List of loan articles with verification certificate.
6. Copy of the constitution of the firm.
7. Month wise statement of repairing job conducted during the year in form LR-4 as specified in SCHEDULE II, duly verified by the area Inspector.

8. Site plan, if any change.
9. Memorandum and Articles of Associations in case of Private Limited Company and Limited Company
10. List of workers, skilled and unskilled with names and addresses.
11. Prescribed license renewal fees receipt.

### **III. RENEWAL OF DEALER LICENSE:**

The license renewal application shall be furnished on the prescribed performa as provided in SCHEDULE XIII of the Punjab Legal Metrology(Enforcement) Rules, 2013 with the following supporting documents/papers etc.

1. Proof of the legal title of the premises (attested copy of the sale deed/ lease deed/allotment letter/property tax receipt)
2. Rent receipt/ NOC from owner.
3. Copy of the constitution of the firm.
4. Month wise statement of sale of weights and measures in form LD-4 as specified in SCHEDULE III. Duly verified by the area Inspector.
5. Site plan, if any change.
6. Memorandum and Articles of Associations in case of Private Limited Company and Limited Company
7. Sales Tax/VAT Registration number, if registered.
8. Prescribed license renewal fees receipt.

After due consideration of the investigation report, if the licensing authority arrives at a conclusion and is satisfied that the applicant fulfils all the requirements, his/her application should be considered for renewal of license. In case of refusal of renewal, the duly reasoned reference shall be communicated to the applicant.

It is to be kept in mind that in case the premises of the licensee are on rent/lease expires; the renewal of such license should not be more than 1 calendar year or upto the date on which such agreement of lease expires, whichever is earlier.

The decision of the Licensing Authority shall be communicated to the applicant asking him/her to deposit the license fee. **After receipt of the license fee, Licensing Authority shall renew license within 7 days** and intimation of the same be communicated to the concerned Legal Metrology Officer for information and record.

Every license issued or renewed is required to be displayed at conspicuous place in the premises where the licensee carries on business.

A license so issued or renewed cannot be transferred or sold out.

#### **AMENDMENT IN LICENSE :**

In case of any amendment in the existing license of manufacturer /repairer/dealer with reference to change in constitution, business premise, item of manufacture/repair/ sale, the relevant part laid down in case of the licensing policy if any is to be observed and adhered to.

**Any such change, alteration or amendment in existing license should only be made after due enquiries, in respect of change/ alteration/ amendment so purposed, within 15 days from receipt of application,** and that too against payment of fee of Rs. 500 as provided in SCHEDULE -X of the Punjab Legal Metrology( Enforcement) Rules, 2013.

#### **ISSUANCE OF DUPLICATE LICENSE:**

If the application is for duplicate license, the Licensing Authority shall verify the documentary proof in support of application and consider the matter on merit. Documents such as police complaint along with affidavit duly notarized may be considered while deciding the application, for issuance of duplicate license. If the issuance of duplicate license is permitted, fee of Rs. 100/- as prescribed in SCHEDULE X of the Punjab Legal Metrology (Enforcement) Rules, 2013 shall be charged and recovered from the applicant/licensee. **After receipt of fees, duplicate license should be issued to the concerned applicant within 7 days.**

**RECORDS TO BE MAINTAINED BY MANUFACTURER, REPAIRER AND DEALER :**

1. Every manufacturer, repairer or dealer of weight and measure holding license under the rules, shall maintain record and a register in the form as set out in SCHEDULES- I, II and III respectively of the Punjab Legal Metrology (Enforcement) Rules 2013 as the case may be and also submit such periodically reports as may be specified by the Controller from time to time which shall be subject to inspections by the Inspector at least once in six months and report be submitted to the Controller for records.
2. The manufacturer and dealer should update their register LM-4 and LD-4 every month and Repairer should update LR-4 register date wise on daily bases.
3. To ensure transparency of verification and stamping, of each and every weight or measure, manufactured, sold and repaired, the complete particulars of descriptive marking (Max./min. capacity, e-value, accuracy class), Trade mark, Serial Number, Model Approval Number, of weight or measure shall be given in the verification certificate to be issued by Inspector, in sale bill or invoice to be issued by the Manufacturer , Dealer and in the repair receipt to be issued by Repairer.
4. Verification certificate number and date, Inspector number should be mentioned, in sale bill or invoice to be issued by the Manufacturer , Dealer and in the repair receipt to be issued by Repairer, along with on own office copy ,to be kept for record.

**INSPECTIONS OF LICENSES SUCH AS MANUFACTURER, DEALER AND REPAIRER OF WEIGHT OR MEASURE :**

The Inspector should visit the premises of the licensees to carry out the inspection at least once in six months and may call all or any record, document, register relating to any sale or purchase, at his office for inspection. After completion of inspection, he shall forward the inspection report along with his remark to the Licensing Authority through proper channel for

information and necessary action if any proposed. A copy of the same should also be handed over to the concerned licensee. **The same Inspector should not inspect the same premises consecutively and should submit the inspection report along with action taken if any, within 48 hours of the inspection , to the concerned Assistant Controller with copy to the Controller. Concerned Assistant Controller or next higher authority shall arrange/depute/authorise any other Inspector, in case of requirement of inspection of same premises consecutively.**

If inspection is carried out by the Licensing Authority himself and finds violation of any of the provisions of the Act or Rules, he should take action such as suspension, cancellation of the license as provided under section 23(2) of the Legal Metrology Act and Rule 4 of the Punjab Legal Metrology (Enforcement) Rules 2013 after following due procedure of law i.e. after affording due opportunity of hearing to the licensee.

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## **REGISTRATION OF MANUFACTURER, PACKER AND IMPORTER OF PACKAGED COMMODITIES:**

The registration of manufacturers, packers and Importers of packaged commodities are done under the Legal Metrology (Packaged Commodities) Rules 2011. The main object of the registration is to put them on the list of the Legal Metrology Department so that the checking of the packages regarding net contents can be done regularly by the department and packages should be checked in respect of declarations as required under the aforesaid Rules.

Basically the Registration of manufacturers, packers and Importers of packaged commodities under the Legal Metrology (Packaged Commodities) Rules 2011 is, under the preview of the Director Legal Metrology, Govt. of India, New Delhi, who's powers in this regards ,have been delegated to the state Controllers , by the Central Govt.

An application in the form set out in **Annexure -II** for registration of manufacturer, packer and Importer of packaged commodities can be made under Rule 27 of the Legal Metrology (Packaged Commodities) Rules 2011 accompanied by fee of Rs. 500 to the Controller and every such application is required to contain the following particulars, namely :-

- (a) The name of the applicant;
- (b) The complete address of the premises at which the pre-packing or import of one or more commodities is made by the applicant; and
- (c) The name of the commodity or pre-packed or imported by the application.

### **The format of the application has been given as ANNEXURE- II.**

After receipt of the application, the concerned authority shall scrutinize, verify the application and the documents thereof as supportive evidence and if it is found that the application is complete in all respects, **the authority shall enter the name, address of the manufacturer/packer in the register the format of which is given in the forthcoming paragraph and grant the registration certificate within three weeks from the date of receipt, as per the format given in ANNEXURE -III.** The Registration done

After issuance of certificate, necessary entries in the register kept and maintained at the Head Office for the purpose, shall be made as per the following format:

S. No.	Name of the Applicant	Name of the Proprietor/partners/directors	Complete address of the premises	Name of Commodities to be pr e-packed /imported	Details of fees paid	Registration Number	Shorter address if any registered	Sign
1	2	3	4	5	6	7	8	9

It is pertinent to note here that all manufacturer, packer and Importer firms of Packaged Commodities should be registered at the Controller's office.

**If the application is not complete in itself, the registering authority shall return the same to the applicant within the period of 7 working days from the date of receipt of application.**

Once registration is made, it is valid for the entire country for:

- All the premises of the import and packing mentioned in the Registration Certificate
- For all the items mentioned in the Registration Certificate.

The registration once made do not require renewal. However alteration or addition, if any can be allowed with the change of circumstances on payment of fee of Rs. 100/-.

#### **PENALTY FOR NONREGISTRATION:**

For non-registration of Manufacture, Packer and Importer of the Packaged Commodities, legal action as envisaged under Rule 27 r/w 32 of the Legal Metrology (Packaged Commodities) Rules, 2011 read with the provisions of the Legal Metrology Act, 2009 should be initiated against the defaulter.

Compilation of State-wise list of registered manufacturers, packers or importers is contemplated under Rule 30 of the Legal Metrology (Packaged

Commodities) Rules, 2011. The Controller's Office shall compile a State-wise list of such registrations and should submit it to the Director, Legal Metrology and also circulate the same to all concerned enforcement staff and other concerned controllers of the other States. The List of all Registrations as manufacturers, packers or importers has been uploaded on the Legal Metrology link of food supply website [www.foodsuppb.nic.in](http://www.foodsuppb.nic.in)

**Registration of Shorter address:**

Registration of shorter addresses should be done at Controller's Office. If any application for shorter address is received by the Controller's office, then a letter shall be sent on the shorter address mentioned in the application and directing him/her to produce the same letter along with the original envelope sent to him/her by the office. **On receipt of this, a certificate to that effect should be issued to the applicant within 7 days and necessary entry in the register should be made.**

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**Registration of Importer of weight or measure:**

No weight or measure shall be imported without registration u/s 19 of the Legal Metrology Act, 2009.

For registration of Importer of weight or measure, application specified in TENTH SCHEDULE under Rule 15 of the Legal Metrology (General) Rules, 2011, given as **ANNEXURE –XXII** has to be preferred through the Controller to the Director of Legal Metrology, Department of Consumer Affairs, Ministry of Food, Public Distribution and Consumer Affairs, Government of India, along with prescribed fee, **within 15 days from the date of receipt of application**. The registration so made shall be valid for a period of 5 years under rule 15 of the Legal Metrology (General) Rules, 2011.

## **CHAPTER III**

### **VERIFICATION AND STAMPING PROCEDURE**

Legal Metrology Organization has to protect the rights of consumers by accurate delivery of goods through weight, measure or number. This ultimate objective is achieved by ensuring accuracy of weight or measure. This is carried out through verification and stamping including sealing, wherever necessary, of weight or measure, manufactured and thereafter by periodical re-verification, as they tend to become inaccurate due to wear and tear, because of frequent and constant use. For verification of weight or measure and to ensure their accuracy, the equipment has to be verified/ compared with Working Standards and these working standards are verified against secondary standards which are further verified with the reference standard. The Working Standards are at present with the Inspectors while Secondary Standards are with the Assistant Controller Legal Metrology at division level and Reference Standards are with the RRSL (Regional Reference Standard laboratories), maintained by the Centre Govt. According to the prevailing law, it is necessary to ensure accuracy of these Standards by periodical verification by Inspectors, who are technically qualified persons as per the procedures lay down under the Act and Rules.

#### **Verification of Secondary Standards**

The Assistant Controller of the division is in-charge of Secondary Standard Laboratory. Assistant Controller should make necessary arrangement for verification of Secondary Standards. As per Rule 31(2) of the Legal Metrology (National Standards) Rules, 2011, every Secondary Standard shall be verified against the appropriate Reference Standard by Reference Standard

Laboratory at an interval not exceeding two years. The secondary Standards of Punjab are being verified by Regional Reference Standard Laboratory, Faridabad, established by Govt. of India.

## **Verification Of Working Standards**

The Inspector is the custodian having control of the Working Standards and other equipments provided to him by the Controller. All these Working Standards and other equipments shall be kept and maintained in good condition. As per Rule 31(3) of the Legal Metrology (National Standards) Rules, 2011, every Working Standards shall be verified against the appropriate Secondary Standards at an interval not exceeding one year. The procedure for verification of Working Standards shall be in accordance with the directions issued by the Head Office from time to time.

The Working Standards should not be put into use unless and until the verification results are approved by Secondary Standard Laboratory.

**Note:** Every Reference Standard, Secondary Standard and Working Standard, irrespective of place where they are kept, shall be maintained as far as possible in accordance with the guidelines issued by the National Physical Laboratory from time to time as per Rule 32 of the Legal Metrology (National Standard) Rules, 2011.

## **Verification and Stamping of Commercial Weights or Measure**

The verification and stamping of the weight or measure used for transaction or for protection is generally done at the office of the Inspector or at such other place as may be specified by the Controller, but where any weight and measure is such that it cannot be moved from its location, the verification of such a weight or measure is done at the place of his location, for which the person using such weight or measure shall report to the area Inspector at least thirty days in advance of the date on which verification falls due.

## **Verification and Stamping At the Office of Inspector**

1. Every person using any weight or measure in any transaction or for protection is bound to present such weight or measure for verification/re-verification, at the office of the Inspector or at such other place as the Inspector may specify (camp office) on or before the date on which the verification falls due.

2. Such weight or measure brought to the office or camp office should be verified, stamped and sealed as the case may be by the concerned office following the procedure as per the Rules. The fee payable shall be acceptable in advance in the manner as specified by the Controller from time to time.
3. Before commencing the work of verification and re-verification, the Inspector shall inform the person concerned of the fee payable by him and shall receive the same in the manner as provided by the Controller and issue a receipt on the form approved by the Controller keeping one copy of such receipt on his record.
4. If a weight or measure is presented to the Inspector for re-verification after expiry of the validity of stamp, an additional fee at half the rates specified in SCHEDULE XVII is payable for every quarter of the year or part thereof.
5. He shall also maintain Cash Book and Daily Diary register showing the amount of fee and other charges collected during the day, and details of weights and measures verified and stamped, in the Performa prescribed by the Controller Legal Metrology.
6. All payments so received in the week shall be deposited on the first working day of the next week into the Govt. treasury under appropriate Head Account against a receipt, record of which should be maintained. All receipts deposited shall be reconciled from the treasury and report shall be send to the Assistant Controller office every month.
7. The Inspector shall follow the timing and days as notified in this behalf, by the Controller while carrying out the work of verification and stamping and display the same, at the office/camp office. He may refuse to accept the weight or measure brought for verification on the days and timings, other than displayed in office or camp office.
8. In case the Inspector is not able to attend the work of verification and stamping at the office or camp office, he should inform the concerned Assistant Controller in advance so that alternate arrangement can be made for avoiding any inconvenience to the user.

9. Every weight or measure is to be verified in a clean condition and the Inspector shall require the owner or user to make necessary arrangement for the purpose. He can also instruct his Manual Assistant to visually inspect the weight or measure for ensuring the cleanliness and proper leveling etc.
10. During verification if the weight or measure is found to be accurate/ within permissible error and as per specification prescribed, such weight or measure shall be stamped by the Inspector.

But if it is found that the weight or measure which being due for re-verification has not been presented for such re-verification or which is found to be not within permissible error and does not confirm to the standard established by or under the Act, the Inspector shall return the same by putting obliteration stamp on such weight or measure to the user. But where defect or error in such weight or measure is not such as to require immediate obliteration of the stamp, he shall inform the user of the defect or error found in the weight or measure calling upon him to remove the same within a period of seven days as prescribed..

11. If the defect or error is removed by the user so as to make the weight or measure confirm to the standards established by or under the Act, Inspector shall verify and stamp such weight or measure on payment of the fee as specified.
12. If the user fails to remove the defect or error within that period, the Inspector shall obliterate the stamp. The obliteration of the stamp on such weight or measure would not take away or abridge the power of Inspector to seize such weight or measure in accordance with the provisions of the Act.
13. If after testing and verification, the Inspector is satisfied that weight or measure conforms to the standard established by or under the Act, he shall stamp every weight or measure with the stamp of uniform design issued by the Controller which shall indicate the number allotted for administrative purpose to the Inspector by whom it is stamped. While

doing so he shall mark the year and its quarter of stamping and Inspector Number stamp on every verified weight or measure.

14. All the four quarter of the year shall be marked as A (Jan, Feb , March), B (April, May, June), C (July, August, September), D ( October, November, December)
15. On completion of verification and stamping, the Inspector shall prepare and issue the verification certificate and separate certificate in case of rejection with reasons thereof in the form set out in SCHEDULE-XVI. The certificate of verification so issued is required to be displayed at a conspicuous place where the weight or measures are used.
16. The verification certificate shall include following additional details in case of:
  - non automatic weighing instruments – max. capacity, min. capacity, ‘e’ value (verification scale interval) and accuracy class, serial number ,Model Approval Number and brand/ make.
  - non automatic measuring instruments – max. flow rate, name of the product to be dispensed, serial number, Model Approval Number and brand/ make.
  - Meters for liquid other than water – flow rate, closing totalizing reading at the time of verification, name of the product to be dispensed, serial number, Model Approval Number and brand/make.
  - Tank lorry – Chassis no., engine number vehicle number, number and sizes of front and rear tires, tank size in meter, number of compartments, compartment wise tank capacity, compartment wise proof mark, compartment wise dip mark and other information as per the guidelines issued by the Controller.
  - During first verification of new weight or measure of a user, duly self attested copy of the purchase bill from the user, be taken on records and particulars regarding invoice or bill



number, name/address and license number of manufacturer/dealer etc., be mentioned on Verification certificate.

- During verification of the weight or measure duly repaired by the Repairer, complete particulars of Name/address ,License Number , Amount of Repair Charges received/AMC to be received along with Repairer Receipt Number ,should be written on particular Verification certificate as well as on office copy, for transparency and ease of verification of these entries in the LR-4 register

17. In case a certificate of verification is lost or destroyed, the holder of the same can apply for issuance of duplicate certificate on payment of Rs 50/- as fee. Inspector shall issue to the applicant a duplicate copy of certificate of verification marked “Duplicate”

#### **Verification and Stamping At Premises Other Than Office/Camp Office**

The weight or measure which cannot or should not be moved or shifted from its location shall be verified and stamped by the Inspector on receiving at least 30 days prior intimation request in writing from the user in the Performa given in **ANNEXURE XIV**, before the due date of verification.

On receiving a request in Performa as provided in **ANNEXUREXIV** as aforesaid from user for verification of the immoveable weight or measure at user's premises, the Inspector may visit the user's premises and verify the weight or measure, charging the fee as prescribed in **SCHEDULE XVII** of the Punjab Legal Metrology(Enforcement) Rules, 2013 and the expensive incurred.

For verification of such weight or measure at the place of its location, the user of the same shall provide all such facilities as may be specified by the Controller.

The State Controller has not so far issued or specified any such facilities to be provided but he/she may specify the requisite facilities to be so provided in terms of **Rule 6(3) of the Punjab Legal Metrology (Enf.) Rules, 2013.**

***EXCEPT PROCEDURE OF CHARGING THE FEE AND RECOVERY EXPENSES INCURRED FOR ALL OTHER MATTERS, THE PROCEDURE PRESCRIBED IN RESPECT OF VERIFICATION OF WEIGHT OR MEASURE IN OFFICE SHALL BE APPLICABLE MUTATIS – MUTANDI (SIMILAR).***

**Fee for Verification At User's Premises**

If at the request of a person having weight or measure in his possession, the verification is done at his premises, an additional fee shall be charged at half the rate specified in SCHEDULE -XVII of the Punjab Legal Metrology (Enf.) Rules, 2013 and the said person/user shall also bear all the expenses incurred by the Inspector for visiting the premises including the cost of transporting and handling the working standard and other equipment subject to a minimum of Rs 100/- (one Hundred). But where verification/re-verification of a weigh bridge is done with mobile test kit (vehicle fitted with crane) an additional fee at the rate of Rs. 3000/- (Three thousands) shall be charged.

No additional fee is chargeable for verification and stamping of weights and measure in case of vehicle tanks for petroleum products, and other liquids, Meter for Liquid other than water (Fuel Dispenser, Liquid Petroleum Gas, Milk Dispensers), Compressed Natural Gas Dispensers, Non-automatic Weighing Instruments like Dormant Platform Machines, Crane Scale, Automatic Gravimetric Filling Instruments, Discontinuous Totalizing Automatic Weighing Instruments and such other weight or measure which cannot, and should not be moved from its location.

In case of outdoor verification and stamping the Inspector shall take following steps:

1. He shall take with him test weights or measures and other testing equipments as provided by the Controller, depending upon the type and capacity of weight or measure to be verified.
2. Where the test load provided to Inspector is not sufficient to verify or test weight or measure such as Weighbridges, Platform Machines, Crane Scales, etc., Inspector shall intimate the owner/user to make

necessary arrangement for the purpose. The format for intimation letter is given in ANNEXURE- XV.

3. During visit to the premises, if the Inspector finds that no testing facility and necessary manpower is made available, he shall refuse to carry out the work of verification and stamping. On subsequent application and making necessary arrangement, Inspector shall again charge the expenses incurred for visiting the premises and carry out the work of verification and stamping.
4. After verification, if the Inspector is satisfied that the weight or measure conforms to the standards established under the Act and Rule, he shall stamp the weight or measure and if necessary, seal the same.
5. The Inspector shall cause to prepare the verification certificate, with the help of Manual Assistant, in the prescribed format set out in S-XVI of the Punjab Legal Metrology (Enf.) Rules, 2013 and issue the same to the user immediately.

#### **Validity of Weights and Measures Duly Verified Stamped and Use Thereof**

1. A weight or measure which is duly verified and stamped is deemed to conform to the standard established by or under the Act at every place within the State in which it is stamped, unless it is found on inspection or verification that such weight or measure has ceased to conform to the said standard.
2. A duly verified and stamped weight or measure does not require to be re-stamped merely for the reason that it is being used at any place within the State other than the place, at which it was originally verified and stamped. But where such a verified weight or measure installed at one place is dismantled and re-installed at a different place, it shall not be put into use without verification and stamping. The dismantling or reinstalling cannot be done without prior intimation in writing to the Controller or any other person authorized by him in this behalf.

3. Similarly where a verified weight or measure is repaired, the same cannot be put into use unless or until it is re-verified and stamped, notwithstanding that periodically re-verification of such weight or measure has not become due.
4. Every weight or measure is required to be used in neat and clean condition and in proper lighting arrangement.
5. To ensure proper check of the accuracy of the weighing instrument, the user shall keep at the site of each weighing instrument duly verified and stamped weights equal to one tenth or one ton, whichever is less, of the capacity of the instrument and the consumer can also check the accuracy of the weighing instrument.
6. To ensure proper delivery of the petrol/diesel pumps, the retail dealer of the pump shall keep a verified 5 litre/ 10 litre capacity measures at his premises and check the delivery from the pump every day to ensure its correct delivery. In case of any short delivery, he is required to stop the delivery through the pump immediately and inform the Inspector concerned to re-calibrate the pump with intimation of concerned oil company's officer.

### **Initial Verification (New or Modified) Weight or Measure**

#### **Meter For Liquids Other Than Water Including Fuel Dispensers.**

Inspector shall satisfy himself about the following documents along with company technician before undertaking verification and stamping of newly installed petrol pump or flow meter. Before verification and stamping Inspector shall take required permission from the Controller Legal Metrology or Officer authorized in this behalf in prescribed Performa at ANNEXURE-XX

1. Request letter from Company Officers.
2. Model Approval Certificate
3. Importer registration, if the dispensing unit is imported.
4. NOC from concerned authorities such as Collector/Municipality/ Corporation to install the said dispensing unit.
5. Explosive license from the concerned authority.
6. Challan/Money receipt of verification and stamping fees.

**New Weighing and Measuring Instruments like Static Weigh bridge, In – motion road Weigh bridge, In-motion Rail Weigh bridge, type etc.**

Inspector shall satisfy himself about the following documents, before undertaking verification and stamping of newly installed weighbridge. The Inspector shall take required permission from the Controller Legal Metrology or Officers authorized in this behalf in prescribed Performa given at **ANNEXURE-XXI**

- Request letter from owner/owners.
- Model Approval Certificate.
- Purchase Bill.
- Importer's registration, in case of imported weight or measure.
- Availability of test load as required under the Legal Metrology (General) Rules, 2011.
- NOC from concerned authorities such as Collector/Municipality/ Corporation to install such weight or measure.
- Challan/Money receipt of verification and stamping fees, deposited.

**Procedure for Verification of Vehicle Tank Lorries;**

The Department has also issued guidelines as per ANNEXURE-IV regarding the procedure to be followed for verification/calibration of vehicle tank lorries vide Memo No. 3802-08 dated 19.11.2013.

## CHAPTER IV

### MAXIMUM PERMISSIBLE ERRORS

There are large number of groups of permissible errors and their designations. According to their usage, we may divide the weights broadly into two groups, those used in commercial transactions and those which are used for any other purposes like scientific, technical or industrial purpose. The Department of Legal Metrology in a country prescribes the maximum permissible errors for the weights used for commercial transaction. For other weights, generally the National Physical Laboratory of the country fixes the maximum permissible errors. Depending on the accuracy demanded from the weights, there may be more than one class of maximum permissible errors for weights used in industry and scientific field. Sometimes, for very precise jobs, no permissible error is fixed but its mass value is required to be known with the desired accuracy.

In India maximum permissible errors for weight and measures have been prescribed in Legal Metrology (General) Rules, 2011 and for packaged commodities in Legal Metrology (Packaged Commodities) Rules, 2011. These rules have been framed under Legal Metrology Act, 2009.

These are reproduced hereunder for ready reference:

#### **MAXIMUM PERMISSIBLE ERRORS FOR SECONDARY STANDARDS**

##### **Secondary Standard Weights**

Maximum permissible error

<b>Denomination</b>	<b>Permissible error ±mg</b>
10 kg	50
5 kg	25
2 kg	10
1 kg	5
500 g	2.5

<b>Denomination</b>	<b>Permissible error ±mg</b>
200 g	1.0
100 g	0.50
50 g	0.30
20 g	0.25
10 g	0.20
5 g	0.15
2 g	0.12
1 g	0.10
500 mg	0.08
200 mg	0.06
100 mg	0.05
50 mg	0.04
20 mg	0.03
10 mg	0.02
5 mg	0.02
2 mg	0.02
1 mg	0.02

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**Secondary Standard Metre Bar**

**Maximum permissible error**

The error on the length between any two graduation marks on the secondary standard metre bar, at the standard temperature of 20°C, shall not exceed the value “e” calculated according to the following formula:

$$e = \pm (25 + L/40) \text{ micrometer}$$

(Where L is the nominal length in millimetre of that part of the metre bar between the two graduation marks, the error on which is being determined. The calculated value of “e” shall be rounded to the nearest integer.)

## Secondary Standard Capacity Measures

Maximum permissible error

<b>Denomination</b>	<b>Permissible error ±ml</b>
5l	2
2l	1
1l	0.8
500 ml	0.5
200 ml	0.4
100 ml	0.3
50 ml	0.2
20 ml	0.1

## Secondary Standard Balances

Every Secondary Standard Balance shall conform as regards capacity, sensitivity figure in mg per division, minimum scale division, variation insensitivity figure with respect to load and overall accuracy of measurement, to the specifications as indicated below:

<b>Capacity</b>	<b>Sensitivity Figure mg/div</b>	<b>Mini. scale division</b>	<b>Maximum variation in sensitivity figure with respect to load</b>	<b>Minimum overall accuracy of measurement</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
20 kg	25	1.5 mm	10 per cent	25 mg in 10 kg
5 kg	7.5	1.0 mm	10 per cent	7.5 mg in 2 kg
1 kg	1.5	1.0 mm	10 per cent	1.5 mg in 500 g
200 g	0.5	1.0 mm	10 per cent	0.5 mg in 50 g
20 g	0.1	1.0 mm	10 per cent	0.01 mg in 1 mg
2 g	0.02	0.75 mm	10 per cent	0.02 mg in 1 mg



Every Secondary Standard Balance of digital type shall conform as regards value of verification scale interval as given below:—

<b>Capacity</b>	<b>Maximum value of verification scale interval</b>	<b>Type of weights to be verified</b>
20 kg	1 mg	20 kg to 500 g
200 g	0.01 mg	200 g to 1 mg

### **Maximum Permissible Errors for Working Standards**

#### **Working Standard Weight**

Maximum permissible error

The permissible errors in excess and in deficiency shall be as follows:—

<b>Denomination</b>	<b>Permissible error ±mg</b>
20 kg	300
10 kg	150
5 kg	75
2 kg	30
1 kg	15
500 g	7.5
200 g	3.0
100 g	1.5
50 g	1.0
20 g	0.8
10 g	0.6
5 g	0.6
2 g	0.4
1 g	0.3
500 mg	0.25
200 mg	0.20
100 mg	0.15
50 mg	0.12
20 mg	0.10
10 mg	0.08
5 mg	0.06
2 mg	0.06
1 mg	0.06

## Working Standard Metre Bar

Maximum permissible errors

1. The error on the length between any two graduation marks on the Working Standard Length Measure, at the standard temperature of 20°C, shall not exceed the value “e” calculated according to the following formula :

$$e = (50+L/20) \text{ micrometre}$$

(where L is the nominal length in millimetre of that part of the metre bar between the two graduation marks, the error on which is being determined. The calculated value of “e” shall be rounded to the nearest integer.)

2. The errors on the length between any two graduation lines on the plate shall not exceed  $\pm 20$  micrometre.

## Working Standard Capacity Measures

Maximum permissible error

Denomination	Permissible errors in ml ( $\pm$ ml)
10 litre	8
5 litre	4
2 litre	2
1 litre	1.5
500 ml	1.0
200 ml	0.8
100 ml	0.6
50 ml	0.4
20 ml	0.2

### Delivery Time and Maximum Permissible Errors of Pipette Measures

Denomination ml	Delivery time in seconds		Permissible error (+ml)
	Minimum	Maximum	
10	15	25	0.04
5	10	20	0.03
5	10	40	0.05

(Graduated)

### Working Standard Balances

#### a) Equi-arm types balances:

Every Working Standard Balance of equi-arm type shall conform, as regards capacity, sensitivity figure, maximum variation in sensitivity figure with respect to load and maximum overall inaccuracy of measurement to the specification as indicated below:

Capacity	Max.Sensitivity figure/div	Maximum variation in sensitivity figure	Minimum overall accuracy of measurement
1	2	3	4
50 kg	100 mg	20 per cent	100 mg in 10 kg.
5 kg	10 mg	20 per cent	10 mg in 500 g
200 g	1 mg	20 per cent	1 mg in 100 g
50 g	0.4 mg	20 per cent	0.4 mg in 5 g
2 g	0.05 mg	20 per cent	0.05 mg in 1 mg

**(b) Digital Type Balances**

Every Working Standard digital type balance shall conform, as regards value of verification scale interval as given below:

<b>Capacity</b>	<b>Max. value of verification scale interval</b>	<b>Type of weights to be verified</b>
50 kg	1 g	Non-bullion: 50 kg and 20 kg
20 kg	0.1 g	Bullion: 10 kg, 5 kg; Non-bullion: 20 kg to 2 kg
2 kg	10 mg	Bullion: 2 kg to 500 g; Non-bullion: 2 kg to 200 g
200 g	0.1 mg	Bullion: 200 g and below; Non-bullion: 200 g and below

**Maximum Permissible Errors for Frequently Used Weight or Measure Weights**

**Cylindrical Knob Type Weights (10 kg to 1 g)**

The maximum permissible errors shall be as specified below:

<b>Denomination</b>	<b>Permissible Error</b>	
	<b>Verification (mg)</b>	<b>Inspection (mg)</b>
10 kg	1500	± 1500
5 kg	750	± 750
2 kg	300	± 300
1 kg	150	± 150
500 g	75	± 75
200 g	30	± 30
100 g	15	± 15
50 g	10	± 10
20 g	8	± 8
10 g	6	± 6
5 g	5	± 5
2 g	4	± 4
1 g	3	± 3

### Iron Weights Hexagonal (50 kg to 50 g)

Permissible error

Denomination	Permissible error	
	Verification (mg)	Inspection (mg)
50 kg	7500	± 7500
20 kg	3000	± 3000
10 kg	1500	± 1500
5 kg	750	± 750
2 kg	300	± 300
1 kg	150	± 150
500 g	75	± 75
200 g	30	± 30
100 g	15	± 15
50 g	10	± 10

### Bullion Weights (10 kg to 1 g)

Permissible error

Denomination	Permissible error	
	Verification (mg)	Inspection (mg)
10 kg	500	± 500
5 kg	250	± 250
2 kg	100	± 100
1 kg	50	± 50
500 g	25	± 25
200 g	10	± 10
100 g	5	± 5
50 g	3	± 3
20 g	2.5	± 2.5
10 g	2.0	± 2.0
5 g	1.5	± 1.5
2 g	1.2	± 1.2
1 g	1.0	± 1.0

### Sheet Metal Weights ( 500 mg to 1 mg )

The maximum permissible errors shall be as specified below:

Denomination (mg)	Maximum Permissible Error			
	Bullion (mg)	Verification	Inspection	
		Non-bullion (mg)	Bullion (mg)	Non-bullion (mg)
1	2	3	4	5
500	0.8	2.5	±0.8	± 2.5
200	0.6	2.0	± 0.6	± 2.0
100	0.5	1.5	± 0.5	± 1.5
50	0.4	1.2	± 0.4	± 1.2
20	0.3	1.0	± 0.3	± 1.0
10	0.25	0.8	± 0.25	± 0.8
5	0.20	0.6	± 0.20	± 0.6
2	0.20	0.6	± 0.20	± 0.6
1	0.20	0.6	± 0.20	± 0.6

### Carat Weights

#### Knob weights (500 carat to 5 carat)

The maximum permissible errors shall be as specified below:

Denomination Carat	Verification mg	Inspection mg
500	5.0	± 5.0
200	3.0	± 3.0
100	2.5	± 2.5
50	2.0	± 2.0
20	1.5	± 1.5
10	1.2	± 1.2
5	1.0	± 1.0

## Sheet Metal Weights

The maximum permissible errors shall be as specified below:—

Denomination Carat	Verification mg	Inspection mg
1	2	3
2	0.8	± 0.8
1	0.6	± 0.6
0.5	0.5	± 0.5
0.2	0.4	± 0.4
0.05	0.25	± 0.25
0.02	0.20	± 0.20
0.01	0.20	± 0.20
0.005	0.20	± 0.20

## Standard Weights for Testing Of High Capacity Weighing Machines

**TABLE**

Maximum number of scale divisions “n” on weighing machines (accuracy class III), capable of verification with the Standard weights during verification	Maximum permissible positive or negative relative error on the standard weights	Minimum density kg/m <sup>3</sup>
(1)	(2)	(3)
1000	3.3/10000	1231
3000	1.7/10000	2087
5000	1.0/10000	3000
10000	0.5/10000	4364

### Absolute Errors for Standard Weights

Normal Value kg.	Maximum permissible error for the standard weights			
	3.3/10,000	1.7/10000	1/10000	0.5/10000
	Corresponding absolute error (gram)			
50	17	8.5	5	2.5
100	33	17	10	5
200	66	33	20	10
500	170	85	50	25
1000	330	170	100	50
2000	660	330	200	100
5000	1700	850	500	250
	1000	3000	5000	10000

### Capacity Measures

The maximum permissible errors shall be as specified:

Denomination	Verification in excess only		Inspection			
	Cylindrical measures ml	Conical measures ml	Excess	Deficiency ml	Excess	Deficiency ml
20 l	...	100	Error same as in verification	...	Error same as in verification	50
10 l	...	50		...		25
5 l	...	30		...		15
2 l	30	15		15		7.5
1 l	20	10		10		5
500 ml	15	8		7.5		4
200 ml	8	4		5		2
100 ml	5	3		2.5		1.5
50 ml	3	...		1.5		...
20 ml	2	...		1		...



## Liquor Measures

Permissible error

The maximum permissible errors shall be as given below:—

Denomination	Permissible error
100 ml	$\pm 3$ ml
60 ml	$\pm 2$ ml
30 ml	$\pm 1$ ml

## Length Measures

Permissible error:

The error on the length between any two consecutive five-centimetre graduation marks shall not exceed + 0.25 mm and further the error from the beginning of the measure to any graduation mark shall not exceed 1.0mm for 1 metre bar and 0.5 mm for half metre bars provided that the errors on the full length of the measure shall not exceed the following limits:

Denomination	<u>Verification</u>		<u>Inspection</u>	
	Excess	Deficiency	Excess	Deficiency
1 m	1.0 mm	0.5 mm	1.0 mm	1.0 mm
0.5 m	0.5 m	0.25 mm	0.5 mm	0.5 mm

## Fabric/Plastic and Steel Tape Measures

Maximum permissible error

1. On verification, under the conditions specified in clause 2, the error on the length between the axis of any two graduation lines shall not exceed :
  - for Class I  $\pm (0.1 + 0.1L)$  mm,
  - for Class II  $\pm (0.3 + 0.2L)$  mm, and
  - for Class III  $\pm (0.6 + 0.4L)$  mm,

where L is the length between two graduation lines concerned, expressed in metre, rounded off to the next higher whole number of metre.

2. The maximum permissible error on tape measures on inspection shall be twice that specified for verification, the method of verification remaining unchanged.
3. Steel tape measures of nominal length 0.5 m to 5 m shall belong to accuracy Class I or II.
4. Fabric/Plastic tape measures of nominal length 0.5 m to 5 m shall belong to accuracy Class II or III.
5. Tape measures of nominal length above 5 m shall belong to accuracy Class I, Class II or Class III.

### **Surveying Chains**

#### Permissible error

1. When measured with a tension of 80 newtons every metre length shall be correct with an error not exceeding  $\pm 2$  mm.

The overall length of the chains shall be correct within the following limits of error :

- 20 metre chains  $\pm 5$ mm
  - 30 metre chains  $\pm 8$  mm
2. The permissible errors shall be the same for verification and inspection.

## Maximum Permissible Errors for Packaged Commodities

### THE FIRST SCHEDULE

[See Rule 2(e)]

1. Maximum permissible errors on net quantity declared by weight or volume:-

(a) The maximum permissible error, in excess or in deficiency, in the net quantity by weight or volume of any commodity shall be as specified in the table below:-

**TABLE –I**

**Maximum permissible errors on net quantities declared by weight or by volume**

Sr. No.	Declared quantity g or ml	Maximum permissible error in excess or in deficiency	
		As percentage of declared quantity	-g or ml
(i)	up to 50	9	-
(ii)	50 to 100	-	4.5
(iii)	100 to 200	4.5	-
(iv)	200 to 300	-	9
(v)	300 to 500	3	-
(vi)	500 to 1000	-	15
(vii)	1000 TO 10000	1.5	-
(viii)	10000 TO 15000	-	150
(ix)	More than 15000	1.0	-

(b) The maximum permissible error specified as percentage shall be rounded off to the nearest one-tenth of a g or ml, for declared quantities less than or equal to 1000 g or ml and to the next whole g or ml for declared quantities above 1000 g or ml.

2. The maximum permissible errors on net quantity declared by length, area or number. - (1) The maximum permissible error, in excess or in deficiency, in the net quantity declared in terms of length, area or number of any commodity not specified in the First SCHEDULE shall be as specified in the table below:-

**TABLE -II**

**The maximum permissible errors on net quantities declared by length,  
area or number:**

<b>S.No</b>	<b>Quantity declared</b>	<b>Maximum permissible error in excess or in deficiency</b>
(i)	In units of length	2% of declared quantity up to 10 metre and thereafter 1% of declared quantity.
(ii)	In units of area	4% of declared quantity upto 10 square metre and thereafter 1% of declared quantity.
(iii)	By number	2% of declared quantity

**Net Content Data Sheet**  
**Form A**  
**Weight Checking – Data Sheet**

A Particular of Package		Name of Manufacturer/ Packer			
	<b>Address</b>	<b>Price</b>	<b>Month</b>	<b>Year</b>	
B Commodity Classification	Lot Size <span style="float: right;">Sample Size</span> Schedule First/Second Class A/B Maximum permissible error in Percentage-----				
C	Sample No.	Gross Weight	Tare Weight	Net Weight/error	Remarks
Weight Checking Data	1 200				
D Results	Declared Wt.		Avg. Wt.		
E GENERAL COMMENTS WITH REGARD TO THE COMPLIANCE WITH THE ACT AND THE RULES MADE THEREUNDER					
F Signature and name of the Authorized person Or any competent witness  Place:  Designation:  Name:  Time:					

Note: If the data sheet runs into more pages than one, the each continuation sheet shall bear the signatures specified in Part F.

## Form B

### Volume/Length Checking - Data Sheet

A Particular of Package	Name of Manufacturer/ Packer				
	<b>Address</b>	<b>Price</b>	<b>Month</b>	<b>Year</b>	
B Commodity Classification	Lot Size: <span style="float: right;">Sample Size</span> Schedule First/Second Class A/B Maximum permissible error in percentage				
C	Sample No.	Gross Weight	Tare Weight	Net Weight/error	Remarks
Volume/ Length Checking Data	1 200				
D Results	Declared Volume/Length. Avg. Volume/Length				
E GENERAL COMMENTS WITH REGARD TO THE COMPLIANCE WITH THE ACT AND THE RULES MADE THEREUNDER					
F Signature and name of the authorized person <span style="margin-left: 100px;">Signature and name of manufacturer/ packer authorized by manufacturer or Or any competent witness</span>  Place:  Designation:  Name:  Time:					

Note: If the data sheet runs into more pages than one, the each continuation sheet shall bear the signatures specified in Part F.

## **CHAPTER V**

### **INSPECTIONS**

Inspections are carried out by the Controller and respective Inspectors/enforcement staff of the Department as per power conferred by Section 15 of the Legal Metrology Act, 2009. They may visit each and every market place, business centre, industrial centre, Government Godown, petrol pump, L.P.G agencies' premises, whole sale dealers as well as retail shops to see whether their weight or measure being used in any transaction are correct and verified or not. They may check every consignment of L.P.G Cylinder from bottling plant to end consumers at any stage, to avoid issue of underweight cylinder, pilferage and leakage Cylinder, to the consumer. The discharge of motor spirit, high speed diesel and other fuel dispensing pumps require verification once in every year. These machines as such are required to be inspected regularly to see the correctness of its discharge. Besides these, all the incoming of motor spirits and high speed diesel and other oils, liquid products carried by tank lorries are also checked.

Deputy Controller, Assistant Controller and Inspectors working in Headquarter should not go for field inspection unless specifically authorized. In case of authorization, specific instructions with regard to which seizure receipt book and test equipments are to be used, should be given in the authorization letter. Deputy Controller/Divisional Assistant Controller can use the seizure receipt book and test equipments for field work which are maintained by the Divisional Assistant Controller of the concerned area Inspector.

#### **Various Violations Which Are Detected During Inspection**

1. Use of weights, measures, weighing and measuring instruments other than those prescribed under the Rules.
2. Use of quotations, etc., otherwise than in terms of Standard Units of weight, measure or numeration.
3. Manufacture, repair or sale of weight or measure, weighing and measuring instrument without valid license.

4. Manufacture, sale of weight or measure, weighing and measuring instrument other than standard ones prescribed under the Act in force.
5. Sale of unstamped/unverified weight or measure, weighing and measuring instrument.
6. Use of weight or measure, weighing and measuring and instrument, not re-verified and stamped on or after the due date.
7. Non-display of the verification certificates and licenses issued by the Department of Legal Metrology.
8. Pre-packed commodity whether it is manufactured intra-State, inter-State and imported, shall not be sold, distributed, delivered, displayed or stored and kept for sale unless the package complies with the provisions of the Act and Rules.
9. Counterfeiting, tampering, removal of verification seals and increasing, diminishing or altering any weight or measure with a view to deceive any person in any transaction.
10. Sale or delivery of commodities by non-standard weight or measure or weighing or measuring instrument.
11. Keeping of non-standard weight or measure or weighing or measuring instrument for use in transaction or for protection .
12. Selling of any article less than the quantity contracted for or paid for or rendering any service less than the service contracted for, or paid for or buying, any article in excess of the commodity contracted for or obtaining any service in excess of the service contracted for or paid for.
13. Alteration and tampering with any license issued by the Department of Legal Metrology under the Act/Rules.
14. Selling or delivering rejected weight or measure, weighing and measuring instrument.
15. No retail dealer, manufacturer, packer or other person shall obliterate, smudge or alter the retail sale price (MRP) indicated on the package or on the label affixed there to.



16. No package shall be sold, delivered or displayed for sale unless it contains the declared quantity on the label affixed thereto and also the declaration as provided in rule 6 of the Legal Metrology (Packaged Commodities) Rules, 2011 which reads as under:

**Declaration to Be Made On Every Package**

Every package shall bear thereon or on label securely affixed thereto, a definite, plain and conspicuous declaration made in accordance with the provisions of this chapter as, to-

1. (a) The name and address of the manufacturer, or where the manufacturer is not the packer, the name and address of the manufacturer and packer and for any imported package the name and address of the importer shall be mentioned.

*Explanation I-* If any name and address of a company is mentioned on the label without any qualifying words 'manufactured by' or 'packed by', it shall be presumed that such name and address shall be that of the manufacturer and the liability shall be determined accordingly;

*Explanation II-* if the brand name and address of the brand owner appear on the label as a marketer, then the brand owner shall be held responsible for any violation of these rules and action as may be, initiated against the deemed manufacturer and in the event of more than one name and address appearing in the label, prosecution shall be launched against the manufacturer indicated on the label in the first place and not against all of them.

*Explanation III-* In respect of packages containing food articles, the provisions of this sub-clause shall not apply, and instead, the requirement of the {Foods Safety and Standards Act, 2006 (34 of 2006)} rules made there under shall apply.

- (b) The common or generic name of the commodity contained in the package and in case of packages with more than one product, the name and number or quantity of each product shall be mentioned on the package.

- (c) The net quantity, in term of standard unit of weight or measure, of the commodity contained in the package or where the commodity is packed by number ,the number of commodity contained in the package shall be mentioned.

(d) The month and year in which the commodity is manufactured or pre-packed or imported shall be mentioned.

(da) If a package contains a commodity which may become unfit for human consumption after a period of time, the best before or use by the date, month and year shall also be mentioned on the label:

(e) The retail sale price of the package.

(f) Where the sizes of the commodity contained in the package are relevant, the dimensions of the different pieces are different to the dimensions of such different piece shall be mentioned.

2. Every package shall bear the name ,address, telephone number , e mail address of the person who can be or the office which can be contacted , in case of consumer complaints etc.

17. No retail dealer or any other person shall make sale of commodity in package from at a price exceeding the retail sale price there of.

## **Procedures**

### **Inspection of establishments by the Controller or Legal Metrology officer**

#### **Step I**

While going for inspection, the Controller or the Legal Metrology officer should ascertain the check list and carry the following things with him:

- Identity card or Authorization letter
- Seizure Receipt Book
- Weighing Balance as per requirement
- Verified Test weight or measure as per requirement
- Copy of the Act and Rules
- Data sheets (Net content), Notice Form as per format provided in **ANNEXURE V**
- Formats of required documents such as undertaking for goods returnable in case of speedy and natural decay
- Designation stamps, sealing wire, seal and other required stationery material etc.

## **Step II**

After entering into premises, the Controller or Legal Metrology officer should disclose his identity by showing Identity card to the person in-charge of the premises. However, where the identity disclosure hampers the merit of the inspection, identity should be disclosed at proper time. If any obstruction or resistance is created by the trader or observed from the person in charge of the premises or any other person, the Controller or the Legal Metrology officer should seek police assistance by requesting the area police station of the local jurisdiction, and report the same to higher authority for information. Legal action should be taken as per provisions of Legal Metrology Act, 2009.

## **Step III**

During inspection, the Legal Metrology officer should carry out calculations, compute errors and draw inferences as per Act and Rules. If there is any violation, the Controller, the Legal Metrology officer should explain the same to the person in charge and prepare seizure receipt. Whenever the process of inspection and seizure is carried out in presence of Assistant Controller/ Deputy Controller/Controller, they should invariably sign the related document.

Necessary and required description of seized goods (as per the Act and Rules), should be given in the seizure receipt. Reasons for seizing such goods shall be invariably mentioned in the seizure receipt. The reasons for seizure should be clearly mentioned in common language instead of mentioning legal terms/violation of Section and Rules. For traceability or identify of accused a copy of one of the documentary evidences such as license issued by Government/local authority/ documents like electricity bill, telephone bill, license, packer registration, or any other documents, register or other record relating thereto etc. may be taken in possession.

## **Step IV**

The third copy of the seizure receipt should be given to the person present or in charge of the premises and acknowledgement should be taken. If the person present/incharge of the premises

refuses to sign and receive the seizure receipt, the receipt may be pasted at the entrance of the premises in the presence of the witnesses or copy of it may be served to the person by registered post A/D. An endorsement should be made at the place meant for signature to the effect that such person had refused to sign and receive the same.

#### **Step V**

The Controller and the Legal Metrology officer should seize all the articles mentioned in the seizure receipt. Following procedure should be adopted while seizing the goods/articles:

- i. If any seized goods are subject to speedy or natural decay, the Controller or the Inspectors should weigh/measure the goods on a verified weight or measure available with him or near the place of seizure and take necessary entries in the format given in **ANNEXURE VI** and signature of trader or his agent and witnesses be obtained.
- ii. If the trader or the person present at the premises refuses to sign the form, the Controller or the Legal Metrology officer shall obtain the signature of witnesses and made an endorsement to the effect that he/she has refused to sign.
- iii. If any seized goods are in the packaged form and are subject to speedy or natural decay, and does not conform to provisions of the Act/Rules, the Controller or the Legal Metrology officer may dispose of goods as mentioned in (i) above and keep with him the empty wrappers for necessary evidence. The list of naturally decaying substances is given in **ANNEXURE VII**.
- iv. When the goods seized are not subject to speedy or natural decay, the Controller or the Legal Metrology officer may retain the goods for the purpose of prosecution under the Legal Metrology Act/Rules, after giving a copy of seizure receipt to the trader or person in-charge.
- v. With a view to overcoming the situation regarding transportation and safe custody of the seized and detained goods, generally packages subject to maximum quantity of five packages shall be detained by the concerned Legal Metrology officer at the time of seizure and remaining packages in sealed

condition be returned to the trader or person present, for keeping as evidence, at the premises and an undertaking in the format given in **ANNEXURE VIII** should be taken from the trader or person in-charge, for keeping their safe custody and for producing the same as and when required during the case proceedings.

vi. The Inspector should ensure that seized and detained property is carefully sealed and preserved for producing in the court of law as and when required.

### **Step VI**

In respect of intimation of the seizure and seized property to the Judicial Magistrate First Class, the relevant provisions of Code of Criminal Procedure 1973 may be followed.

### **Inspection of Weight or Measure**

The Controller or the Legal Metrology officer shall take following steps while inspecting weight or measure and packaged commodity:

- i) Inspect any record, register or other document relating there to.
- ii) The Controller or the Legal Metrology officer shall obliterate the stamp on any weight or measure, if it is found during inspection that:
  - any weight or measure which being due for re-verification has not been submitted for such re-verification;
  - any weight or measure which does not conform to the Standards established by or under the Act;
  - any weight or measure which, since the last verification, stamping and sealing has been repaired or readjusted;
  - any weight or measure which does not admit proper adjustment by reason of its being broken, indented or otherwise defective;

Provided that where the Legal Metrology officer is of opinion that the defect or error in such weight or measure is not such as to require immediate obliteration of the stamp, he shall serve a notice in the form set out in

**ANNEXURE-V** to the user of such a weight or measure informing him of the defect or error found in the weight or measure and calling upon him to remove the defect or error within seven days as he may specify and shall:

- if user fails to remove the defect or error within that period, obliterate the stamp, or
- if the defect or error so removed make the weight or measure conform to the standards established by or under the Act, verify, stamp and seal such weight or measure.
- if it is noticed by the Legal Metrology officer that the weight or measure is not verified on or before the expiry of validity date during the same quarter (as marked on the weight or measure), he shall obliterate the stamp and issue a notice for a period not exceeding 7 days in a Performa as given in **ANNEXURE-IX**. Upon failing to comply with notice, action under Section 33 of Legal Metrology Act, 2009 shall be initiated against the user of such weight or measure.
- Thereafter the Legal Metrology officer shall take necessary action including prosecution under the relevant provisions of the Act and Rules.
- During the inspection, if it is found that the user failed to produce weight or measure for verification on or before expiry of validity of stamp, the Controller or the Legal Metrology officer should take steps such as seizing of weight or measure, booking offence under relevant provisions of the Act and Rules framed thereunder.
- During the inspection if short delivery or excess demand, by weight, measure or number or services obtained/rendered is noticed, the Legal Metrology officer should take action as per Act/Rules.
- Notwithstanding anything stated above, if during the inspection it is noticed that there is violation of any other provisions of the Act and Rules, appropriate action/proceeding shall be initiated against the user/trader.

### **General Inspection**

No specially designated seizure receipt book shall be maintained or kept in the office of Controller, Deputy Controller and Assistant Controller. Whenever a situation occurs, such as that immediate inspection by Deputy Controller or Assistant Controller becomes necessary, they should call local Inspector along with them. However, if the concerned local Inspector is not available or he is to be avoided for specific reason, the Inspector of neighboring centre of the same division, shall be called along with his seizure book, equipments necessary for inspection and necessary action thereafter. The concerned Deputy Controller or Assistant Controller shall witness the inspection and seizure done in their presence and should invariably sign on the concerned documents. They should note such incident in their tour diary, which is submitted to higher officer.

### **Inspection by Squad**

The special squad for specific purposes shall be constituted by the Controller. The members of such squad will be as specified by the Controller by specific order. The squad shall function as per the procedure specified in the order and for the period specified in the said order. The squad shall be deemed to be dissolved after the specified period.

In case of inspections by squads, the action taken should be intimated to the area Inspector, concerned Assistant Controller and Deputy Controller. The local Inspector, on receipt of such intimation along with all case papers in original shall take further legal action and inform the same to the Court having jurisdiction.

### **Inspection in Joint Raid**

In joint raids, participating Inspectors may use seizure receipt books allotted to them. The cases booked vide seizure receipts used by Inspectors other than local Inspectors, should be handed over to the local Inspector along with original copy of the seizure receipt, and other related records as soon as the joint raid is over. These cases should be recorded in the case register of local Inspector and other participating Inspectors should not record these cases in their case registers or report in monthly work report. But these cases can be considered at the time of annual assessment of their work.

Under certain circumstances on the request of local Inspector, Assistant Controller having jurisdiction, may permit Inspector of other centre in writing to accompany him.

Controller/Deputy Controller/ Assistant Controller may arrange joint raid for specific task and effective enforcement for the better protection of consumer interest. Normally Legal Metrology officer shall not visit/inspect/investigate in the area other than his local limits, unless or otherwise authorized in this behalf.

### **Inspection of Packaged Commodities**

While inspecting the premises of Manufacturer, Packer or Importer, the Controller or the Legal Metrology officer shall,

- Ask to produce registration certificate of Manufacturer, Packer or Importer.
- Check the declarations, on the packages ready for dispatch.
- Check the net content of the packages as per Rule 19 of Legal Metrology (Packaged Commodities) Rules, 2011.

While inspecting the premises of wholesale dealer or retail dealer, the Controller or the Legal Metrology officer shall:

- Check the declarations on the packaged commodities
- Check whether there is any alteration, obliteration, or smudging on MRP declared on the packages
- In case of overcharging, at first, receipt of said packaged commodity should be procured for evidence and thereafter prosecution may be filed against the retail or wholesale dealer as the case may be
- In case no receipt is given on demand or incorrect receipt is given, inspection report shall be prepared in presence of two witnesses and action should be initiated as per Act and Rule
- Check the net content of the packages at retail or whole sale dealer on complaint or if there is any reason to suspect that any package has been packed with less quantity or tampered with, as per Rule 21 of the Legal Commodity (Packaged Commodities) Rules, 2011.



## **CHAPTER VI**

### **PROSECUTION AND COMPOUNDING OF OFFENCES**

The procedure for investigation of offences under Legal Metrology Act, 2009 is not prescribed by any of the Rules framed thereunder and hence there is no other way but to adopt the procedure as provided under Criminal Procedure code (Cr.PC). As per the provisions of Section 15 of the Act and the Section 157 of Cr.PC, As Legal Metrology officer, on receipt of information about commission of an offence or otherwise, has reason to suspect that offence has been or likely to be committed, shall proceed to the spot to investigate the facts and circumstances of the case and if necessary shall take all necessary steps for discovery of the offender. Provided that, if it appears to the Inspector that there is no sufficient ground for entering into investigation, he should not investigate the matter.

The Legal Metrology officer should maintain a register of complaints and information so received which is required to be properly investigated. Sections 100,102 of Cr.PC and Section 15 of the Legal Metrology Act, 2009 authorizes the officers to seize weight or measure, packaged commodities and documents or articles. Once seizure is affected, the process of discovery of accused should be initiated which may involve:

1. Acquiring the proof of ownership of business, the weights or measures or other goods or documents, in respect of which offence is detected. The proof shall be legal documents which may disclose the identity of the offender.

- i. If the accused firm is a proprietary concern, and if shops and Establishments Act is applicable, Legal Metrology officer shall obtain/procure valid copy of shops and Establishments Act license. Where Shop Act is applicable, but license is not available, Legal Metrology officer shall procure any such license/document issued by competent authority, which indicates the status of the firm and name of the owner. In case, Shops and Establishments

Act is not applicable, the Legal Metrology Officer shall take undertaking from the accused regarding the ownership of the firm.

ii. If the accused firm is a partnership concern, the Legal Metrology Officer shall procure valid copy of partnership deed. He shall ensure that all the partners are alive and are responsible for the offence. In addition, he shall obtain any other valid license/ document which contains the names of the partners.

iii. If the accused firm is private limited or public limited and the company has nominated any director as per Rule 29 of the Legal Metrology (General) Rules 2011 made under Section 49 of the Legal Metrology Act 2009, the Legal Metrology Officer shall procure a copy of such nomination. If no person is nominated by the accused company, he shall procure existing list of directors of the company along with memorandum of association and article of association. If there is any discrepancy in the names of the directors between the two documents, he shall procure form number 32 as per Company Act. He shall ensure that all Directors are alive and responsible for the offence.

2. If any other person other than responsible person has abetted the offence, the identity and other details of such person necessary for prosecution should be collected.

3. If a packaged commodities are seized at retailer's premises, Rule 21(5) of the Legal Metrology (Packaged Commodities) Rules, 2011 authorizes the Legal Metrology Officer to make such enquires so as to know the source of the packaged commodities. The enquiries may be made –

i. By procuring purchase bills/ cash memo/delivery challan and details of dealer /distributor/packer/ manufacturer /importer of said goods from which the Inspector shall find out names and address of all the accused in the said case and address correspondence to the dealer/distributor/packer/ manufacturer/ importer of said goods.

During investigation he may avail facility of e-mail and various web site as available on the record of the case and may also take help from concerned Police Station and concerned LMO of that area. In case where accused is located outside the State, he shall make correspondence to the

Controller of the State through the Assistant Controller of the concerned district/division.

Under section 15 (2) of the Legal Metrology Act 2009, every Legal Metrology Officer is authorized to order any person (to whom he believes to be able to produce any documents/register etc. which shall be useful during investigations) to produce before him the documents or any other things connected with the case. Non compliance of such an order would attract the provisions of Section 31 of the Act under which failure to comply with the order of the Legal Metrology Officer or any Inspector to produce before him for inspection any weight or measure or any document, register or other record relating thereto, is punishable with fine which may extend to Rs. 5000/- and for the second or subsequent offence, with imprisonment for a term which may extend to one year and also with fine.

If the accused is found committing same or similar offence, within three years from the date on which the first offence committed by the accused was compounded, then it shall be deemed as second or subsequent offence, as prescribed under section 48 (4) of the Legal Metrology, Act 2009 and such case shall be non compoundable, due care shall be taken while compounding. Investigation of any such offence shall be completed in all respect, in consultation with the higher officers by the concerned Legal Metrology Officer. And case be lodged in the court of law within the stipulated limitation period as prescribed.

If, after investigations, it appeared that no offence is committed or likely to be committed in the matter, the facts shall invariably be brought to the notice of the superior higher authorities and their guidance may be sought by the Legal Metrology Officer.

Discreet inquiries shall always be made by the Legal Metrology Officer while interacting with general public and the intelligence so gathered shall be utilized as an input for investigation.

4. In case where smudging of price on the Packaged Commodity is found, the Legal Metrology Officer should investigate as to who had smudged the price. If the retailer is found to have done that then this fact should be mentioned in the inspection report.

5. If a case is booked in warehouse the Legal Metrology Officer shall enquire about the ownership of the warehouse. If the warehouse is on rent, he shall obtain copy of agreement and fix responsibility for the offence accordingly.

### **Booking of Cases**

1. **Inspection of Establishments by Controller/Deputy Controller/Asst. Controller:** The Controller, Deputy Controllers and Assistant Controllers are basically supervisory authorities. They should not maintain any seizure receipt book in their office. Whenever a situation warrants that direct inspection of establishment by these officers is required, they should call the area Inspector along with his **inspection kit** (consisting of seizure receipt book, test equipments etc.). If in any emergency, the area Inspector is not available; another Inspector of neighbouring district within the District only may be called. But in that case the concerned Assistant Controller/ Deputy Controller should note down the reasons in his diary and get written consent of Controller. If the emergency is such that written consent of Controller could not be obtained, verbal consent followed by post facto consent will be allowed. If Inspector other than area Inspector is called by Deputy Controller the same should be intimated to the concerned Assistant Controller also. Whenever the process of inspection and seizure is carried out in presence of Assistant Controller/ Deputy Controller, they should invariably sign the related documents. Deputy Controller, Assistant Controllers and Inspectors working in head office are not allowed to go for field inspections unless specifically authorized. In case of authorization, specific instructions as regards to, which seizure receipt book and test equipments are to be used, will be given. The controller can conduct inspection in whole of the State with any Deputy Controller, Assistant Controller or Inspector and take action as noted above.

2. **Inspection by squads:-**In case of Inspections by squads, the action taken should be intimated to the area Inspector, concerned Assistant Controller and Deputy Controller. The area Inspector, on receipt of such intimation should report the same to the Court having jurisdiction if required.

3. **Inspection in campaigns:-**In case of campaigns, participating Inspectors may use seizure receipt books allotted to them. The cases booked vide seizure receipts used by Inspectors other than area Inspectors, should be handed over to the area Inspector along with copy of the seizure, inspection report and other related records as soon as the campaign is over. These cases should be recorded in the case register of area Inspector and other participating Inspectors should not record these cases in their case registers but mention this special duty in their Daily Diary Report being maintained by them.

4. **Processing and investigation of cases registered:** After recording case in the prosecution register, Area Inspector will send a show cause notice to the accused in Performa as provided in **ANNEXURE-XVI** indicating the details of violation and asking to show cause as to why he should not be prosecuted for the same. Further he may be asked to furnish the names and addresses of the responsible persons of the accused firm and proof thereof. If the defaulter firm does not provide such information then action against the person incharge can be initiated as envisaged in Section 31 & 41 of the Act. Section 31 provides penalty for non production of documents and Section 41 provides for penalty for furnishing false information. Such details as required can also be obtained from licenses issued by different authorities such as Shops and Establishment Licenses, Food Licenses, Licenses issued by Local Authorities like Excise Department and Agriculture Department etc. The accused firm should be asked to submit documentary evidence to support the same. If the names and addresses of responsible persons of such firms or companies are obtained from website/memorandum or articles of association, then further enquiry about the responsibility of conduct of business of such company can be made by sending individual notices as aforesaid. During this enquiry, nomination under the Act can also be checked.

If the violation is such that its primary responsibility lies with somebody else along with the defaulter firm or company, then the Area Inspector should enquire about source of the seized goods. If it is revealed in an enquiry that some more defaulters (wholesaler, distributor, marketer, manufacturer) are involved in the case then the Area Inspector should register

case against such defaulters, as soon as he gets prima facie evidence against them, and process it according to the procedure described in foregoing paras.

In case of violation regarding mandatory declarations on packaged commodities, kept for sale by retailers or wholesalers in addition to action against such defaulters, if the manufacturers name and sufficient postal address is appearing on the packages itself, then case against such manufacturer should also be registered on the same day. If more than one product is seized from a single establishment, for violation of different sections/rules even then, only one case against the defaulter firm should be registered.

5. **Compounding Of An Offence:** If the accused/offender is prepared to admit guilt in reply to the notice in the format as given in **ANNEXURE-XVI** and voluntarily purposes to compound the case in compoundable offences, then the area Inspector would prepare a proposal as per the format given in **ANNEXURE-XVII** for compounding the case and submit it to the concerned Assistant Controller. While submitting such a proposal the area Inspector shall ensure that:-

- (a) Names and addresses of the accused person/firm are correctly mentioned in the proposal.
- (b) Documentary evidence about the responsibility of accused person/firm is attached along with the proposal.
- (c) Sections/Rules violated are correctly mentioned in the proposal.
- (d) The name of the person signing the consent letter and his position in the accused firm is mentioned in it. (supporting documents should be attached)
- (e) Declaration that the offence is first offence during last 3 years and due care will be taken for not repeating the same in future is mentioned in consent letter.
  - For deciding whether a particular offence is first or the second the details of violation should be considered for example if first offence is detected and compounded, was for not writing date of manufacture and an offence subsequently detected was not

for writing e-mail address. If these offence are committed within a span of three year and violated the same Section 18 of the Legal Metrology Act, 2009, then it will be treated a first offence.

- Period of 3 year should be counted from the date on which compounding amount for the first office was deposited.
- (f) Linking documents such as purchase bills produced by retailers, wholesalers etc., in linked cases are attached along with the proposal.
- (g) Present status of other accused persons such as retailers, wholesalers and manufacturers in linked cases along with necessary documents is written in proposal.

The Assistant Controller, on receipt of such a proposal for compounding the case, shall pass an order within 15 days after examining the matter in detailed as per the format given in **ANNEXURE-XVIII**. The compounding authority while determining the amount of compounding fee shall have regard to the seriousness and nature of the offence and evidence on the record.

*The Act prescribes the maximum amount of compounding fee for each offence, the details of which have been given in a table form in the last part of this chapter.*

*The fee for compounding of offences in state of Punjab has also been provided and specified in SECHDULE XIX of the Punjab Legal Metrology (Enforcement) Rules 2013.*

The Compounding authority shall get the necessary entries made in the compounding case register as given in **ANNEXURE-XIX**. The order passed shall be forwarded to the concerned Legal Metrology Officer for serving the same to the accused within 7 days. It is advisable that the compounding order in respect of an accused from outside of the State should be in English. If such an order is passed in the state language then the translated version of the same should be conveyed to him. If the Compounding fee is not deposited within the time as specified in the order or no reply is received from the accused then the

Legal Metrology Officer should file the case in the court of law keeping in view the period of limitation.

In case of offences, compoundable only by Director of Legal Metrology, Government of India, New Delhi, as prescribed, the case should be forwarded through the Controller. For this purpose the Assistant Controller should critically scrutinize these cases and proposals send by the area Inspector and forward the same to Controller along with his comments and recommendations. If any discrepancy is noticed by him, he should get it complied with and then send it to Controller office. The Controller, on receipt of such a proposal and after examining the same, shall forward to the Director Legal Metrology, Government of India, New Delhi for further necessary action at their end, with intimation to concerned Assistant Controller and Area Inspector.

### **Closing of Case**

If upon investigation it is found, that the product seized is duplicate/spurious, or due to any other reason, that no case is made out, then the Inspector shall submit the proposal for closing the case, with proper justification, to the Assistant Controller. The proposal shall be critically be analyzed by Assistant Controller, who shall forwarded the complete case file to the Controller for further necessary action, with clear remarks/comments and recommendation, on the proposal of the Inspector for closing the case. The Controller, on receipt of such a proposal for closing the case, shall pass an order within 15 days after examining the matter in detailed The reasons for closing the case must be mentioned in order with proper justification. The decision taken by the Controller should be communicated to the concerned Inspector and the person involved.

### **How to Club Offences**

It is often observed that a particular package manufactured by some manufacturer is seized at more than one place. If the manufacturer compounds a case booked at a particular place and requests to club other cases with it, then following procedure should be adopted:-

1. All the products manufactured/distributed till the date on which the manufacturer gets the information about violation of Act/Rules by him,



will be considered for clubbing. While passing order to club such offences, a note of documents/facts verified should taken in the order.

2. If the cases requested for clubbing are booked by Inspectors from different places within the Division, then concerned Asst. Controller or Deputy Controller will pass the Clubbing order.
3. If the cases requested for clubbing are booked by Inspectors from different places from different Divisions, then the Controller or the Deputy Controller H.Q. if authorized by the Controller, will pass the Clubbing order.

In order to issue a clubbing order, following documents should be verified:

- A request letter from the concerned offender for clubbing
  - A copy of seizure receipt of the case which is already compounded.
  - A copy of compounding order, and
  - A copy of challan as a proof for payment of compounding amount. If the Inspector receives a clubbing request, he should verify the papers and make sure that the commodity in packaged form, section/rule violated in the case booked by him is the same as that in the case which is already compounded, then the Inspector shall forward the case to the Assistant Controller with his recommendations. The Assistant Controller shall send the proposal to Deputy Controller with his remarks.
- Controller on receipt of such proposal from different Inspectors shall take into consideration all documentary proofs and take decision regarding clubbing of the cases and pass an order to that effect, within 15 days. The copies of the order shall be sent to all concerned. On receiving the order, concerned Inspector shall close the case after taking necessary entries in the Prosecution Case Register and shall return seized goods to the concerned. Provided that the cases of retail/wholesale dealers involved in these cases shall be treated as separate cases and compounded in usual manner.

## **Disposal of Cases**

If compounding notice sent on the addresses of the accused is returned with the postal remarks such as incomplete address, deceased, not available at address, left address, in such cases the following procedure shall be adopted:

1. If the accused is in local jurisdiction of the Inspector and he is not traceable, the Inspector should visit the place of the accused and make an enquiry for tracing him. If he is not traceable, inspection report about the facts should be drawn. The proposal for closing the case should be submitted to the appropriate compounding authority along with such inspection report.
2. If the accused is not in his local jurisdiction but within the State, the Inspector should report this fact to the concerned Assistant Controller. Assistant Controller should write to the concerned Assistant Controller, with the request to find out and make available the details of the accused, through local Inspector.
3. If the accused is from outside the State, the Inspector should report this fact to the concerned Assistant Controller and the Assistant Controller should write to the Controller of the concerned State through with the request to find out and make available the details of the accused.
4. The Inspector should make efforts to find out the addresses and details of the accused person from other sources such as police, Shops and Establishments organization, Registrar of companies, etc.
5. The Inspector may also try to find out the details of the accused by availing the facility of electronic media such as internet, mobile, telephone, etc.
6. Despite all the aforesaid efforts, if the details of accused could not be made available within six months from the date of prosecution, the matter shall be reported to the compounding authority for close of case.
7. If the compounding authority Assistant Controller on examining the report of the Inspector, other material facts and circumstances of each case, may forward the case to the Controller for closing the case.

Controller will pass the order for closing the case and forward a copy to Assistant Controller and concerned area Inspector.

8. On the basis of such order, the Inspector can take entry in the register along with details of such order and mark the case in the register as “closed.”

### **Filing a Case In The Court Of Law**

1. If the offence is non-compoundable, the complaint shall be filed in the court of law within the period of limitation.
2. If the offence is compoundable, however, the accused even after notice is not willing to compound the offence or failed to reply within specified period or he did not deposit the compounding amount as ordered by compounding authority within the specified period, concerned Inspector shall proceed for filing the case in the court of law, immediately by following the procedure as given below:
  - (a) before filing a case in the Court of law, the Inspector shall intimate the accused in writing in the format given in ANNEXURE XI
  - (b) if the accused expresses in writing that he is willing to compound the offence at this stage, the Inspector should follow the procedure for compounding the offence
  - (c) if there is no possibility of compounding the offence, the Inspector should file the complaint in the format as given in ANNEXURE XII, in the Court of law, along with copies of necessary documents.
  - (d) the Inspector should note down the court case number (C C No.) and other details in the case register maintained in the office. If the accused desires to compound the offence after filing the complaint in the court, the accused may be asked to make an application to the court to permit him for compounding the offence at Departmental level and the Inspector should thereafter act as per the directions of the court.

- (e) if a case pending in court is subsequently compounded, the Inspector should make a request in writing to the court to stop further proceedings in the format as given in ANNEXURE XIII
- (f) the Inspector should carry out his role as a complainant and Assistant Public Prosecutor in the case. The assistance of Public Prosecutor shall be taken as per the necessity in the matter.
- (g) in the event of transfer of the concerned Inspector who has lodged the case in the court, he shall hand over all the case papers to the succeeding Inspector. The succeeding Inspector shall intimate in writing to the court about the transfer and thereafter he shall attend the court accordingly.
- (h) after the decision of the court, a proper note should be taken in the Prosecution Register.
- (i) if the accused is acquitted or the punishment awarded by court is not satisfactory, then the Inspector in consultation with Public Prosecutor should make proposal to the higher authority for consideration whether appeal or revision application is to be filed against the order of trial court, and proceed further accordingly within the stipulated time for the same.

### **Disposal of Seized Articles**

Seized articles or goods shall be disposed off in the manner as provided in Rule 11 of the Punjab Legal Metrology (Enforcement) Rules, 2013 and Rule 22 of the Legal Metrology (General) Rules, 2011 as the case may be. No seized goods or articles shall be disposed off during pendency of court proceedings. In case of specific court order, Inspector should deal with it accordingly and otherwise deal with it as per the orders of the Controller or Deputy Controller or Assistant Controller as may be prescribed by the Controller.

### **Appeal**

Appeals shall be dealt with as per provisions of Section 50 of the Act. Every decision or order of Legal Metrology officer or Controller will be

appealable to the next higher authority within 60 days of passing the order or decision. The order/decision of Legal Metrology officer is appealable to the Controller Legal Metrology and that of the Controller to the Secretary Food Civil Supplies & Consumer Affairs. The Appellate Authority shall call for the records from its officer for examination of appeal and shall pass appropriate orders.

Every such appeal shall be preferred in form set out in **SCHEDULE XVIII** of the Punjab Legal Metrology (Enf.) Rules, 2013.

And shall be accompanied by a copy of the order appealed against and fee of Rs. 500/-(Five hundred ) in case of appeal to Government and of Rs. 200/-(Two hundred ) in case of appeal to the Controller. This fee is payable either in cash or by affixing court fee stamps for the said value as the case may be.

**Contravention and penalties under the Legal Metrology Act 2009 & Rules made there under.**

S. No.	Penalty Section	Type of Contravention	Section Contravend	First Offence		Second/Subsequent Offence	
				Fine (In Rs)	Imprisonment	Fine (In Rs)	Imprisonment
1	25	Use of non-standard weight or measure	8(3)	Up to 25,000	-		Up to 6 months and also with fine
2	26	Alteration of weight and measure	26	Up to 50,000	-		Not less than 6 months, may extend to 1 year, or with fine, or both
3	27	Manufacture or sale of non-standard weight or measure	8(4)	Up to 20,000	-		Up to 3 years, or fine, or both
4	28	Making any transaction, deal or contract in contravention of the prescribed standards	10	Up to 10,000	-		Up to 1 year, or fine, or both
5	29	Quoting or Publishing, etc, of non-standard units	11	Up to 10,000	-		Up to 1 year, or fine, or both
6	30	Transactions in contravention of standard weight or measure	12	Up to 10,000	-		Up to 1 year, or with fine, or both
7	31	Non-production of documents, etc.	15(2)	Up to 5,000	-		Up to 1 year and also fine
8	32	Failure to get model approved	22	Up to 20,000	-		Up to 1 year and also fine

S. No.	Penalty Section	Type of Contravention	Section Contravended	First Offence		Second/Subsequent Offence	
				Fine (In Rs)	Imprisonment	Fine (In Rs)	Imprisonment
9	33	Use of unverified weight or measure	24	Not less than 2,000, may extend up to 10,000			Up to 1 year and also fine
10	34	Sale or Delivery of commodities, etc., by non-standard weight or measure	34	Not less than 2,000, may extend up to 5,000			Not be less than 3 months may extend to 1 year, or fine, or both
11	35	Rendering services by non-standard weight, measure or number	35	Not less than 2,000, may extend up to 5,000			Not be less than 3 months may extend to 1 year, or fine, or both
12	36(1)	(1) Selling, etc., of non-standard packages	18(1)	Up to 25,000		*For Second offence Up to 50000	-
						*For Subsequent offence shall not be less than 50000 may extend to 100000	Or up to 1 year, or with both
	36(2)	(2) Lesser net content than declared on package	36(2)	Not be less than 10,000 may extend to 50,000		Up to 1,00,000	Or up to 1 year, or with both
13	37(1)	(1) Contravention by Government approved Test Centre	24	Up to 1,00,000			
	37(2)	(2) Wilful verification/stamping of any weight & measure in contravention of the Act or rules there under	24	Up to 10,000	Up to 1 year or with fine or with both		
14	38	Non-registration by importer of weight or measure	19	Up to 25,000			Up to 6 months, or with fine or, both
15	39	Import of non-standard weight or measure	20	Up to 50,000			Up to 1 year and also with fine
16	40	Obstructing Director, Controller or Inspector	15		Up to 2 years		Up to 5 years
17	41(1)	(1) Giving false information or false return	15	Up to 5,000			Up to 6 months and also fine
	41(2)	(2) Maintaining false record & registers	17	Up to 5,000			Up to 1 year and also with fine

S. No.	Penalty Section	Type of Contravention	Section Contravend	First Offence		Second/Subsequent Offence	
				Fine (In Rs)	Imprisonment	Fine (In Rs)	Imprisonment
18	42	Vexatious search	42	Up to 10,000	Up to 1 year, or with fine, or with both		
19	43	Verification in contravention of Act and rules	43	Up to 10,000	Up to 1 year, or with fine, or with both		
20	44	Counterfeiting of seals, etc.	44		Not be less than 6 months may extend up to 1 year		Not be less than 6 months may extend up to 5 years
21	45	Manufacture of weight and measure without license	23	Up to 20,000			Up to 1 year, or with fine , or both
22	46	Penalty for repair, sale, etc., of weight and measure without license	23	Up to 5,000			Up to 1 year, or with fine , or both
23	47	Tampering with license	47	Up to 20,000,	Or up to 1 year, or with both		
24	53(3)	<p>Contravention of any rule of Punjab Legal Metrology (Enforcement) Rule 2013, made under section 53(3) of this Act</p> <p>(1) Rule 3(4) – Non submission of application for renewal of license</p> <p>(2) Rule 3(5),5 – Non maintenance of registers</p> <p>(3) Rule 3(8) – Non exhibition of license at premises</p> <p>(4) Rule 6(1) – Non reporting 30 days before due date for re-verification for weight &amp;measure which cannot or should not be moved from location</p> <p>(5) Rule 13(3) – Dismantling/Removing of verified weight or measure without prior intimation</p> <p>(6) Rule 13(4) – Not keeping one tenth or one tonne (whichever is</p>	53(3) & Rule 15	Up to 5,000			

S. No.	Penalty Section	Type of Contravention	Section Contravend	First Offence		Second/Subsequent Offence	
				Fine (In Rs)	Imprisonment	Fine (In Rs)	Imprisonment
		<p>less) verified weights at the sight for checking the accuracy</p> <p>(7) Rule 13(5) – Not keeping verified, 5 litre/10 litre capacity measure to check the delivery on daily basis at the petrol/diesel pump</p> <p>(8) Rule 14 – Non exhibition/display of verification certificate at the site of use of any weight &amp; measure</p>					
25	52(3)	<p>Contravention of rule made under section 52(3) of this Act</p>	52(3)	Up to 5,000			
		<p>*Legal Metrology (Packaged Commodities) Rules 2011 :-</p> <p>(1) Rule 27 – Non registration of manufactures, packers and importers</p> <p>(2) Rule 28 – Non registration of shorter address permissible</p>	Rule 32(1)	4,000			
		<p>(3) Rule 5 – Packing in non standard pack</p> <p>(4) Rule 18(2) – Charging price exceeding MRP</p> <p>(5) Rule 18(5) &amp; (6) – Obliterating/Smudging or Altering the retail sale price of package, etc.</p> <p>(6) Rule 18(8) – Non keeping of verified digital weighing scale, capacity 50kg e-value 10g, for filling by bottling plants, distributing by retail dealers and even up to deliverymen of LPG cylinders, etc.</p>	Rule 32(2)	2,000			



## **CHAPTER VII**

### **LANDMARK JUDGMENTS**

#### **Case 1**

#### **Supreme Court of India**

**State of Maharashtra & Ors v/s Subhash Arjundas Kataria on  
26 August, 2011**

#### **CIVIL APPEAL NO. 1117 OF 2010**

The principle question -what is the true scope and correct purport of the expression "commodity in packaged form" under Section 2(b) of the Standards of Weights and Measures Act, 1976 (in short `the Act). In Civil Appeal No. 1117 of 2010, the specific question is whether the sun glasses can be considered "pre-packed commodity" under Rule 2(1) of the Standards of Weights and Measures (Packaged Commodities) Rules, 1977 (in short `the Rules). In the connected appeals, the product includes Titan watches, fixed wireless phones, sun glasses, electrical goods, home appliances, consumer electronics and Samsung Microwave Oven. The State of Maharashtra is the appellant in all these appeals.

.... We are concerned about Section 2(b) of the Act and 2(1) of the Rules which read as under:-

"Commodity in packaged form" means commodity packaged, whether in any bottle, tin, wrapper or otherwise, in units suitable for sale, whether wholesale or retail." "2(1) "pre-packed commodity", means a commodity, which without the purchaser being present, is placed in a package of whatever nature, whether sealed or opened, so that the commodity contained therein has a pre-determined value and includes those commodities which could be taken out of the package for testing or examining or inspecting the commodity; Explanation I - Where, by reason merely of the opening of a package no alteration is caused to the value, quantity, nature or characteristic of the commodity contained therein, such commodity shall be deemed, for the purposes of these rules, to be a pre-packed commodity, for example, an

electric bulb or fluorescent tube is a pre-packed commodity, even though the package containing it is required to be opened for testing the commodity.

Explanation II. ...."

7) Considering the above definition, the High Court observed that the expression "pre-packaged commodity" would be applicable to:-

- (i) commodities which are packed, and
- (ii) the commodity packaged has a pre-determined value and
- (iii) that value cannot be altered without the package sold being opened at the time of sale, or
- (iv) the product undergoes a modification on being opened.

....valuation under Section 4-A of the Central Excise Act with the abatement of 40%. Sections 4-A(1) and (2) of the Central Excise Act require that any goods included in the notification shall be valued on the basis of the maximum retail price (for short "MRP") which is required to be printed on the packages of such goods. The five conditions for inclusion of the goods are:

- "(i) The goods should be excisable goods;
- (ii) They should be such as are sold in the package;
- (iii) There should be requirement in the Act or the Rules made there under or any other law to declare the price of such goods relating to their retail price on the package;
- (iv) The Central Government must have specified such goods by notification in the Official Gazette;
- (v) The valuation of such goods would be as per the declared retail sale price on the packages less the amount of abatement."

APPEAL NO. 1119 OF 2010 The State of Maharashtra & Ors ....Appellant (s)  
Versus Raj Marketing &Anr. .... Respondent(s) J U D G M E N T P.  
Sathasivam, J.

2) The issue involved in this appeal is whether Candy man, Minto-Fresh, Kitchens of India, Badam Halwa and Ashirvaad Atta etc. can be considered as a "wholesale package" within the definition of the expression "wholesale package" under Rule 2(x) of the Standards of Weights and Measures (Packaged Commodities) Rules, 1977 (hereinafter referred to as "the Rules").

4) The High Court, by impugned order dated 08.12.2006 allowed the writ petition by holding that the packages containing Candy man, Minto-Fresh, Kitchens of India, Badam Halwa and Ashirvaad Atta are not wholesale package within the definition of the expression "wholesale package" under Rule 2(x) of the Rules.

9) In order to attract violation of the Rules referred above, the package seized must fall within the expression "wholesale package". A package used merely for protection during conveyance or safety would not be pre-packed commodity for the purpose of the Act and the Rules. As rightly observed by the High Court that for the package to be treated as a wholesale package, the package must not be a secondary package. In that event, we have to find out whether the secondary package is only for safety, convenience or the like.

.....In the light of the provisions which we have referred above and on verification of the products which were shown to us, we are of the view that the secondary outer packing for transportation or for safety of the goods being transported or delivered cannot be described as a wholesale package.

## **Case 2**

### **Kerala High Court**

### **Kancor Ingredients Ltd v/s Inspector of Legal Metrology**

### **WP(C).No. 31805 of 2006 (J)**

#### JUDGMENT

Petitioner is a public limited company engaged in the manufacture of oleoresins, essential oils of spices, colour pigments used in the food industry, etc. The petitioner has 11 horizontal storage tanks in its factory which are fixed underground and used for storage of solvents which are used in the solvent extraction process. These tanks are used only for storage and not for measurement. The measurement of the solvents used by the petitioner is by weighment of the tankers/lorries carrying such solvents at the weigh bridge situated near the petitioner's premises.

Grievance of the petitioner is that it was served with notice demanding an amount of Rs.1,15,245/- towards verification and additional fees in respect of the horizontal storage tanks of the petitioner. Petitioner approached this Court and this Court disposed of the original petition directing the petitioner to prefer a statutory appeal. Later order was made demanding an amount of Rs.16,02,265/- towards verification and additional fees for 58 quarters for the period from 1992 to 2006 was issued. Being aggrieved by these, petitioner approached this Court with the following prayers:

(ii) declare that the storage tanks of the petitioner are not "weights" or "measures" and that the provisions of the standards of weights and Measures (Enforcement) Act, 1985 and the Kerala Standards of Weights and Measures (Enforcement) Rules 1992 do not apply to the storage tanks of the petitioner by the issue of a writ of mandamus or other appropriate writ, direction or order.

Learned counsel for the petitioner submits that the provisions of the Act and Rules do not apply to the storage tanks of the petitioner. This is evident from a plain reading of Ext.P4 and the provisions stated thereunder. Part II of 9th A Schedule of the Standards of Weights and Measurements (General) Rules, 1987, applies only to "calibration of vertical oil storage tanks meant for bulk storage of petroleum and liquid petroleum products". Part III of the aforesaid 9th A Schedule applies only to vertical storage tanks intended for "bulk storage of petroleum and liquid petroleum products".

Learned Government Pleader submits that the storage tanks of the petitioner are used for taking measurement in industrial production and enjoy no exemption at all from verification/calibration. Storage tanks of the petitioner are weighing or measuring instruments under Section 2(zc) of the 1976 Act. Therefore, Rule 14 of 1992 Kerala Rules or any other provision of the Act and Rules is applicable.... Without going into the merits of the contentions raised by the learned counsel for the petitioner as well as learned counsel for the respondents, I find that no inspection has been done by the authorities prior to the issuance of.

.... The impugned orders are liable to be quashed ... The amount paid under protest shall be refunded to the petitioner in pursuance to this judgment.

### **Case 3**

#### **Bombay High Court**

#### **M/S Star Scale Repairing Center, ...v/s The State Of Maharashtra And... on 9 June, 2015**

##### Issue

Whether the repairers are entitled to collect fees prescribed for verification of the weights, measures and scales and deposit the amount with the Inspector of Legal Metrology.

##### Judgement

.....It would be open for the Inspector of Legal Metrology or the officer authorised, in that behalf, to accept the fees deposited by the licensed repairer towards verification, stamping or sealing of the weights and measures or scale on behalf of its user or the owner and issue appropriate receipt. In the event of breach of the conditions of the license by any licensed repairers, it would be open for the respondents to initiate action and impose penalty in accordance with Rule 10 of the Rules of 2011 after observing the procedure prescribed there under.

### **Case 4**

#### **Delhi High Court**

#### **Bridgestone India Pvt. Ltd. v/s UOI & Ors. on 23 September, 2015**

##### Issue

The petitioner, which is a company registered in India under the Companies Act, 1956, has challenged through the District Sales Manager of the company, the notice under Section 251 of the Code of Criminal Procedure (for short 'Cr.P.C.') issued by the learned Metropolitan Magistrate

MRP was mutilated and rewritten wrong as Rs.320 (inclusive of all taxes). Empty packet seized and attached violation under Section 33/51.

##### Judgment:

....It was further stated by the company (petitioner) that the packing materials are always ordered in bulk which have printed MRP. As and when the MRP of the tube is revised, stock of unused packing material is used by blacking out the old printed MRP on such packing material and new MRP is printed besides the same. It was further clarified by the petitioner company that the bar on reprinting MRP operates only when the product leaves the factory premises. In the packet which was seized, new MRP was printed on the packing material in the factory premises and before the same was dispatched to CNF agents.

### **Case 5**

#### **Gujarat High Court**

**INDIAN**

**PETROCHEMICALS CORP. LTD. & 1 - Petitioner(s)**

**V/s**

**ASSISTANT**

**CONTROLLER OF LEGAL METROLOGY & 2 - Respondent(s)**

Issue:

It is the case of the petitioners that under Section 24 of the Act of 1985, the State Authorities under the said Act and the Rule made there under, cannot insist on recalibration of the storage tanks. On the other hand, the stand of the State is that such recalibration is necessary and permitted.

Judgment

If the respondents wish to verify the measurement of the storage tanks of the petitioners under the Act of 2009, fresh process shall have to be initiated.

## **Case 6**

### **Karnataka High Court**

**G Deepak v/s State of Karnataka on 20 July, 2015**

#### **Order**

This is a writ petition, in substance, to prevent tampering of digital auto meters in the auto-rickshaws.

#### **Judgment**

The authorities shall take steps to see that excepting the tamperproof digital auto meters, no other meters are installed in the auto-rickshaws.

## **Case 7**

### **MAHARASHTRA**

**M/S ImsMercantiles Pvt. Ltd. v/s Union Of India AndOrs. on**

**11 December, 2015**

**Author: G. Rohini**

#### **Issue**

To quash sub-rule 3 of Rules 32 of the Legal Metrology (Packaged Commodities) Rules, 2011 in so far as it is inconsistent with the provisions of the Legal Metrology Act, 2009 and is ultra - vires the Act; MRP merely shown „MRP 299.00“. Accordingly an inspection report/memo dated 22.11.2013 was issued by the respondent No.3/Asst. Controller of Legal Metrology. On 05.12.2013, the petitioner made a representation stating that the omission of the word „Rs./“ was only on account of a minor printing error and there was no malafide intention as was apparent from the fact that the mistake was found on only one packet among many packets searched by the inspection team. However, the respondent No.3 chose to initiate proceedings for compounding under Section 48 of the Legal Metrology Act, 2009 and issued the impugned notice calling upon the petitioner to appear before the Controller/Assistant Controller on 09.01.2014 for compounding the alleged

offence of contravention of provisions of the Legal Metrology (Packaged Commodities) Rules, 2011.

In response to the said notice, the petitioner appeared before the respondent No.3 and sought for compounding on payment of Rs.2,500/- in terms of Rule 25 of the Delhi Metrology (Enforcement)

Rules, 2011. However, the respondent No.3 did not agree and insisted on payment of Rs.25,000/- towards compounding fees. Hence, the present writ petition.

Section 18(1) of the Legal Metrology Act, 2009 (for short „the Act“) provides that no person shall manufacture, pack, sell, import, distribute, deliver, offer, expose or possess for sale any pre- packaged commodity unless such package is in such standard quantities or number and bears thereon such declaration and particulars in such manner as may be prescribed. Under Section 36(1) of the Act whoever manufactures, packs, imports, sells, distributes, delivers or otherwise transfers, offers, exposes or possesses for sale which does not conform to the declarations on the packet as provided in the Act shall be punished with fine which may extend to Rs.25,000/-, for the second offence with fine which may extend to Rs.50,000/- and for the subsequent offence with fine which shall not be less than Rs.50,000/- but which may extend to Rs.1,00,000/- or with imprisonment for a term which may extend to one year or both. Section 48 of the Act provides that any offence punishable under Section 25, Sections 27 to 39 and Sections 45 to 47 may either before or after the institution of the prosecution be compounded on payment for credit to the Government of such sum as may be prescribed.

Under Section 53 of the Act, the State Governments are also empowered to make Rules and in exercise of the power so conferred, the Government of NCT of Delhi made the Rules called the Delhi Legal Metrology (Enforcement) Rules, 2011 (hereinafter referred to as „the State Rules“). Rule 25 of the State Rules provides that the fee for compounding of offences committed under the Act shall be as prescribed in Schedule XI. As per the said Schedule, the compounding fees for the offence under Section 18(1) of the Act shall be Rs.2,500/-.



In the case on hand, the allegation is that Rule 6 of the Packaged Commodities Rules has been contravened by the petitioner. It is not in dispute that the same is punishable under Section 36 of the Act. In terms of Section 48 of the Act, the said offence may be compounded either before or after the institution of the prosecution on payment of such sum as may be prescribed. The word „prescribed“ has been defined under Section 2(o) of the Act as prescribed by Rules made under the Act. As noticed above, rules have been made by both the Central Government and the Government of NCT of Delhi and there are specific provisions prescribing the compounding fees under both the sets of Rules.

The question that requires consideration is whether the contravention of Rule 6 of the Packaged Commodities Rules is compoundable on payment of compounding fees of Rs.25,000/- as prescribed under the Packaged Commodities Rules made by the Central Government or on payment of Rs.2,500/- as prescribed under the State Rules.

It is contended in the writ petition that the compounding fees prescribed under Rule 32(3) of the Packaged Commodities Rules is applicable only in case of inter-State trade and commerce in terms of Section 13 of the Act whereas the provisions of the State Rules are applicable in case of intra-State trade and commerce in terms of Section 14 of the Act. It is pleaded by the petitioner that since the petitioners registered office is situated in Delhi and the goods were displayed in Delhi, it is a case of intra-State commerce and, therefore, the State Rules alone are applicable. It is also contended that the Central Government has exceeded the rule making power conferred on it in having prescribed Rs.25,000/- as compounding fees under sub-rule (3) of Rule 32 of the Packaged Commodities Rules since the same is in contravention of sub-section (3) of Section 52 of the Act which lays down that the penalty shall not exceed Rs.5,000/-. Thus, it is contended that Rule 32(3) of the Packaged Commodities Rules, being ultra vires the Act, is liable to be struck down.

The Director, Legal Metrology filed a counter affidavit raising a preliminary objection as to the maintainability of the writ petition on the ground that the petitioner failed to exhaust the alternative remedy of appeal provided under Section 50 of the Act. On merits of the case, it is contended

that since the petitioner has committed an offence punishable under Section 36(1) of the Act, insistence upon payment of the compounding fees of Rs.25,000/- cannot be held to be illegal on any ground whatsoever. It is also contended that the "compounding fees" under Section 48 of the Act and the "fine for breach" under Section 52(3) of the Act are two distinct issues and the contention that there is conflict between the Act and Rules is without any basis.

Sections 18, 36 and 48 of the Act which are relevant for the purpose of the present case are as under:-

Declarations on pre-packaged commodities. - (1) No person shall manufacture, pack, sell, import, distribute, deliver, offer, expose or possess for sale any pre-packaged commodity unless such package is in such standard quantities or number and bears thereon such declarations and particulars in such manner as may be prescribed.(2) Any advertisement mentioning the retail sale price of a pre-packaged commodity shall contain a declaration as to the net quantity or number of the commodity contained in the package in such form and manner as may be prescribed."

Penalty for selling, etc., of non-standard packages. Whoever manufactures, packs, imports, sells, distributes, delivers or otherwise transfers, offers, exposes or possesses for sale, or causes to be sold, distributed, delivered or otherwise transferred, offered, exposed for sale any pre-packaged commodity which does not conform to the declarations on the package as provided in this Act, shall be punished with fine which may extend to twenty-five thousand rupees, for the second offence, with fine which may extend to fifty thousand rupees and for the subsequent offence, with fine which shall not be less than fifty thousand rupees but which may extend to one lakh rupees or with imprisonment for a term which may extend to one year or with both.

Whoever manufactures or packs or imports or causes to be manufactured or packed or imported, any pre- packaged commodity, with error in net quantity as may be prescribed shall be punished with fine which shall not be less than ten thousand rupees but which may extend to fifty thousand rupees and for the second and subsequent offence, with fine which

may extend to one lakh rupees or with imprisonment for a term which may extend to one year or with both.

Compounding of offences. - (1) Any offence punishable under section 25, sections 27 to 39, sections 45 to 47, or any rule made under sub-section (3) of section 52 may, either before or after the institution of the prosecution, be compounded, on payment for credit to the Government of such sum as may be prescribed.

The Director or Inspectors as may be specially authorised by him in this behalf, may compound offences punishable under section 25, sections 27 to 39, or any rule made under sub-section (3) of section 52.

The Controller or Inspector specially authorised by him, may compound offences punishable under section 25, sections 27 to 31, sections 33 to 37, sections 45 to 47, and any rule made under sub-section (3) of section 52: Provided that such sum shall not, in any case, exceed the maximum amount of the fine, which may be imposed under this Act for the offence so compounded. Nothing in sub-section (1) shall apply to person who commits the same or similar offence, within a period of three years from the date on which the first offence, committed by him, was compounded.

Explanation - For the purposes of this sub-section, any second or subsequent offence committed after the expiry of a period of three years from the date on which the offence was previously compounded, shall be deemed to be a first offence. Where an offence has been compounded under sub-section (1), no proceeding or further proceeding, as the case may be, shall be taken against the offender in respect of the offence so compounded.

No offence under this Act shall be compounded except as provided by this section."

As is evident from the above provisions, the offence punishable under Section 36 is compoundable under Section 48 on payment of such sum as may be prescribed. It is also clear that the Director or Inspector as may be specifically authorized by him as well as the Controller or Inspector specifically authorized by him are competent under Section 48 to exercise the power of compounding the offence under Section 36.

The further contention of the petitioner is that Rule 32(3) of the Packaged Commodities Rules is ultra vires the Act since the same is in contravention of sub-section (3) of Section 52 of the Act. Section 52(3) reads as under:

"In making any Rule under this Section, the Central Government may provide that a breach thereof shall be punishable which may extent to Rs. 5000/-." Apparently, sub-section (3) Section 52 of the Act provides for fine but not the compounding fees, whereas the impugned Rule 32(3) of the Packaged Commodities Rules provides for compounding amount. In fact, the upper limit of the compounding fees has been provided by Section 48 of the Act itself inasmuch as the proviso states that the compounding amount shall not in any case exceed the maximum amount of the fine which may be imposed under the Act for the offence so compounded.

Under Section 36 of the Act, the fine prescribed for the first offence is Rs.25,000/-, for the second offence Rs.50,000/- and for the subsequent offence not less than Rs.50,000/- which may extend to Rs.1,00,000/- or with imprisonment for a term which may extend to one year or with both. The compounding fees prescribed as Rs.25,000/- under Rule 32(3) of the Packaged Commodities Rules is thus in conformity with the Act.

Thus, Rule 32(3) of the Packaged Commodities Rules is not in conflict with the parent Act. The conflict, as being contented by the petitioner, is purely imaginary and non-existent and appears to be result of misreading of the provisions.

## **Case 8**

**PUNJAB AND HARYANA HIGH COURT AT CHANDIGARH.**

**LPA No. 13 of 2015. (O & M), Date of Decision: 21<sup>st</sup> April, 2015.**

**Bharat Petroleum Corporation Limited &Anr. V/S M/s Pal Filling Station &Ors**

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It was alleged that the totalizer seal on The MS Unit had been found broken; and (ii) diesel (HSD) assembly seals were very loose and they have to

be redone. The second report was also prepared on the same day. i.e., 09<sup>th</sup> July, 2013 recording as follows:-

Para 8.2 of the Marketing Discipline Guidelines (P-1), warranting an action like termination of dealership?

[7]. Para 8.2 defining 'Critical irregularities' reads as follows:-

"8.2 Critical irregularities: The following irregularities are classified as critical irregularities:

- [i] Adulteration of MS/HSD [5.1.1].
- [ii] seals of the metering unit found tampered in the dispensing pumps [5.1.2 [b].
- [iii] Totalizer seal of dispensing unit tampered or deliberately making the totalizer non-functional or not reporting to the company if totalizer is not working {5.1.3 read with 5.1.2.]
- [iv] Additional/unauthorised fittings and gears inside the dispensing units/tampering with dispensing units [5.1.4.]
- [v] Unauthorised storage facilities [5.1.5]
- [vi] Unauthorised purchase/seals of products [5.1.6]
- [vii] Tank lorry carrying unauthorised product found under decantation at the RO [5.1.7]

Action : Termination at the FIRST instance will be imposed for the above irregularities".

[8] It may be seen from the above reproduced classification that if the seals of the metering unit are "found tampered in the dispensing pumps" it shall amount to critical irregularity for which an action like termination of license can be initiated.

[9] It is on consideration of the above reproduced Clause that learned Single Judge has held and rightly so that Clause 8.2 contemplates a deliberate human intervention and not merely a corrosion or rusting by natural causes. The expression 'tampering' has rightly been understood to mean a deliberate action or inaction attributable to human intervention.

- [10]. It would be apt at this stage to take stock of the explanation rendered by the first respondent
- [15] The appellant Corporation being a Public Sector Organization is expected to act in a fair, judicious and reasonable manner. It cannot simply thrive upon the terms and conditions of the agreement like private parties to a contract.
- [21] Respondent no.1 has never been penalised for any serious irregularity for 26 years. Thus, the punishment of terminating his license for petrol and diesel, even though on fault was found in the diesel Dispensing Units, and when no adulteration, shot measuring or variation of stocks was found, clearly demonstrates that the penalty is grossly disproportionate and satisfies the tests laid down by the Apex Court in *M/s Siemens Vs. DMRC*, [2014] 11SCC 288.

## **Case 9**

### **Calcutta High Court**

#### **Indian Oil Corporation Ltd. v/s S.A. Neyazi on 25 September, 1997**

The complainant's case may be stated as follows. In course of, a surprise visit of LPG bottling plant of Indian Oil Corporation Limited, the petitioner No. 1 Company at Durgapur on 22-3-9.6 along with Assistant Controller of Legal Metrology, Burdwan and Inspector of Legal Metrology, Durgapur, the petitioner No. 3 who happened to be the acting plant manager of that bottling plant was asked to produce filled LPG cylinders for checking of their net content. The checking was undertaken in presence of the petitioner No. 3 and the complainant verified and checked the cylinders which were supplied by the packer. A weight checking data sheet was prepared in 32 filled cylinders as per procedure laid down in Rule 24 of the Standards of Weights and Measures (Packaged Commodities) Rules, 1977 (For short, 'Rules'). Out of those 32 LPG filled cylinders an error was detected in one cylinder. According to the second schedule of the aforesaid Rules, the maximum

permissible error in deficiency is 150 gms. But as per serial No. 12 of the weight checking data sheet, the net content of that particular LPG cylinder was found to be less than the declared net content by 1200 gms. The error in deficiency was thus more than twice the maximum permissible limit as shown in schedule 2 of the relevant Rules. The LPG cylinder in question was accordingly seized under Section 29 of the Standards of Weights and Measures Act, The complainant's predecessor effected a seizure on 13-6-95 from this bottling plant for detection of short weight of the contents of LPG cylinders. The offence in respect of that seizure was compounded by the Controller of Legal Metrology, West Bengal under Section 73 of the Act of 1976 read with Section 65 of the Standards of Weights and Measures (Enforcement) Act, 1985 (for short, 'Act of 1985') and the petitioner company paid the compounding fees amounting to Rs. 4,995/- on 7-7-95. Thus the offence in relation to the short weight that was detected on 22-3-96 is a second offence within the meaning of Section 65(2) of the Act of 1985 within a period of three years from the date on which the first offence was compounded. The act of manufacturing, packing, distributing, selling, offering, exposing, processing for sale of any packaged commodity which does not conform to the declared net weight as per the provisions of Rule 24(4)(c) of the Rules amounts to contravention of Section 39 of the Act of 1976 read with Rule 25 of the Rules and is punishable under Section 63 of the said Act. The petitioner No. 3 as acting plant manager packed and possessed for distribution of the concerned filled LPG cylinder and had thereby committed an offence under Section 39 of the Act which is punishable under Section 63 of the Act of 1976. The petitioner No. 1 being the Company and the petitioner No. 2 being its Managing Director have also committed the said offence within the meaning of Section 74 of the Act of 1976.

.....Lastly, that at least the prosecution cannot lie under Section 74 of the Act of 1976 against the petitioner only on the basis of the allegation that he was the then Managing Director of the Company, because Section 74 does not ipso facto render a Managing Director of a Company liable to be prosecuted for any offence committed by the company unless and until he was in charge of and responsible to the conduct of the business of the company. In the absence

of disclosure of the basic fact in the petition of complaint as to whether the petitioner No. 2 was in charge of and responsible to the conduct of the business at the material point of time, the impugned prosecution is liable to be quashed as against the petitioner No.

..... Chapter II of the Rules is applicable to the packages in the LPG bottling unit of the Company at Durgapur even if the company is assumed to be exclusively a wholesale dealer and not a retail dealer in relation to the said bottling plant. He draws my attention to the definitions of the terms "retail dealer", "retail package", "retail sale", "wholesale dealer" and "wholesale package" appearing in clauses (o), (p), (q), (w) and (x) respectively of Rule 2 of the Rules and submits that the only difference between a retail dealer and a wholesale dealer lies in the fact that a retail dealer sells directly to the consumer while a wholesale dealer sells not directly to any consumer but through one or two intermediaries. The term "retail package" according to Rule 2(p) means a package which is produced, distributed, displayed, delivered or stored for sale through retail sales agencies or other instrumentalities for consumption by an individual or a group of individuals. The term "retail sale", on the other hand, in relation to a commodity means the sale, distribution or delivery of such commodity through retail sales agencies or other instrumentalities for consumption by an individual or group of individuals or any other consumers. The term "wholesale package" as defined in Rule 2(x) means a package containing (i) a number of retail packages, where such first mentioned package is intended for sale, distribution or delivery to an intermediary and is not intended for sale direct to a single consumer, (ii) a commodity sold to an intermediary in bulk to enable such intermediary to sell-, distribute or deliver such commodity to the consumer in smaller quantities. According to ....., the term "retail package" may be a package which is intended for sale through retail sales agencies and as such, Chapter 2 of the Rules does apply to the packages stored in the bottling plant of the petitioner company obviously for distribution to intermediaries. ....submits that the heading of this chapter does not use the expression "retail packages". It reads as "packages intended for retail sale" and not packages which are dealt with by a retail dealer. It is urged by..... that a package



intended for retail sale can very well be a wholesale package with which a wholesale dealer is to deal with at his premises.

Rule 24 prescribes the procedure for examination of and determination of quantity and error in packages at the premises of the manufacturer or packer. While carrying out examination or tests, samples are required to be drawn from such batch of packages in such numbers as are specified in the ninth schedule. The ninth schedule prescribes the manner of selection of samples of packages. According to paragraph 2 of this schedule, the sample shall be selected at random in accordance with the manner specified in paragraphs 3 and 4. Paragraph 3 provides that where for the determination of the net quantity of any commodity contained in a package it is necessary to take samples of packages stored by the manufacturer or packer in a warehouse, godown or at any other place, the sample shall be selected at random, from every batch of packages, while according to paragraph 4 if it is necessary to take samples from the place where the package is being filled such sample shall be selected from among the packages which have already been filled. ....refers to the definitions of the terms "packer" and "batch". The term "packer" has been defined in Rule 2(k) which means a person who, or a firm or a Hindu undivided family, which pre-packs any commodity, whether in any bottle, tin, wrapper or otherwise, in units suitable for sale, whether wholesale or retail. The term "batch" is defined in Rule 2(b). It means, (i) in the case of packages which have been stored where the total number of such packages does not exceed 100, all such packages and (ii) in the case of packages which are on or at the end of packing line, the maximum output of packages. ....contends that from the petition of complaint, it would appear that the petitioner No. 3 was asked to produce LPG cylinders which have already been filled for checking of their net content and the net contents of 32 such cylinders were checked. According to the table of the ninth schedule, when the batch size is less than 4000, the sample size is-32 and as such, no exception can be taken to the sample size being taken as 32 in the instant case'. Undisputedly, a weight checking data sheet was prepared in the instant case as contemplated under Sub-rule (2) of Rule 24 of the Rules. A copy of the data sheet was produced by the state counsel. From the said data sheet, it appears

that it bears the signature of the petitioner No. 3 and contains the findings cylinderwise with regard to the declarations as to the net quantity actually contained in the sample packages and the extent of error noticed during the test. ....contends that this sheet can, for all practical purposes, be construed as report within the meaning of Sub-rule (3) of Rule 24. He then refers to Rule 25. Rule 25 empowers the director or the authorised person to take punitive action in accordance with the provisions of the Act of 1976 against the manufacturer, or the packer on completion of examination of the packages at the premises of the manufacturer or the packer, in case it appears from the report contemplated under Sub-rule (3) of Rule 24 that the number of packages showing an error in deficiency greater than the maximum permissible error is more than ' the number specified in column 3 of the table in the ninth schedule or any such package shows an error in deficiency greater than twice the maximum permissible error. The column 3 of the table in the ninth schedule is evidently meant for insertion of the number of packages showing error only within the range which exceeds the maximum permissible error but does not extend beyond twice the maximum permissible error. The term "maximum permissible error" is defined in Rule 2(i). It means an error in deficiency or excess in relation to the quantity contained in an individual package which does not exceed (i) in relation to the commodities specified in the first schedule, the limits of error specified in that schedule and (ii) in relation to the commodities not specified in the first schedule, the limits of error specified in the second schedule. The commodity with which we are concerned here is not specified in the first schedule. As such, the second schedule will be applicable here and according to the table 1 of the second schedule, the maximum permissible error in deficiency is 150 gms. or mililitre in respect of a commodity whose declared quantity falls with the range of 10,000 to 15,000 gms. or mililitres. The serial No. 12 of the weight checking data sheet relates to the seized LPG cylinders/It shows that the declared quantity was within the range of 10,000 to 15,000 and the error in deficiency was to the extent of 1200 gms. In other words, the error in the instant case was much more than twice the maximum permissible error. .... that the number of packages specified in column 3 of the table of the ninth schedule does not apply to the present case. It is rather the case of a package showing an error in

deficiency greater than twice the maximum permissible error within the meaning of Clause (c) of Sub-rule (1) of Rule 25 of the Rules.

.....refers to the provisions of Rule 39(2) of the Rules and Section 39(7) of the Act of 1976 and submits that the petitioners have committed the offence punishable under Section 63 of the Act of 1976 and Rule 39(2) of the Rules. But since Section 39 is applicable only when commodities in packaged form are intended to be sold or distributed in the course of inter-State trade or commerce and since, it is not the case of the complainant that the concerned packages were connected with any inter-State trade or commerce, ..... banks upon the provisions of Section 33 of the Standards of Weights and Measures (Enforcement) Act, 1985 and submits that the provisions of the Act of 1976 and the Rules relating to the commodities in packaged form shall apply, as far as may be, in every commodity in packaged form which is distributed, sold or kept, offered or exposed for sale, in the State, as if the provisions aforesaid were enacted by, or made under the Act of 1985.

The offences complained of, according to the petition of complaint, may be stated to be those which are punishable under Section 63 of the Act of 1976 for the alleged contravention of Section 39 of the Act of 1976 by reason of the fact that the concerned packaged commodity which was packed for sale did not conform to the net weight as per the provisions of the Rule 24(4)(c) and Rule 25 of the Rules.

I have already observed that the petition of complaint does disclose materials sufficient to make out a prima facie case that the commodity in packaged form seized from the Durgapur LPG bottling plant of the petitioner company did not conform to the provisions of Rules 24 and 25 of the Rules which are very much applicable here by reason of the provisions of Section 33 of the Act of 1985. From what I have already observed above, the materials on record can also be said to be sufficient to make out the prima facie case that there has been contravention of Section 33 of the Act of 1985 and a contravention of Section 33 is an offence punishable under Section 51 of the Act of 1985.

While determining the question as to whether a prosecution is to be quashed in exercise of the inherent jurisdiction of this Court under Section 482

of the Cr.P.C., my concern would be to find out if the continuance of the impugned prosecution would be a mere abuse of the process of the Court. On a thorough analysis of the materials on record with reference to the statutory provisions in the light of the rival contentions of the parties, I have shown that they are at least sufficient to disclose a prima facie case of commission of an offence punishable under Section 51 of the Act of 1985 for the alleged contravention of Section 33 of the Act of 1985 read with the provisions of Rules 24 and 25 of the Rules of 1977. It is true that the complainant has quoted Section 63 of the Act of 1976 as the section under which the offence the petitioners are said to have committed is punishable, but then quotation of a wrong section or provision of law can be of no consequence at all if the facts alleged in the complaint do disclose the basic ingredients of an offence. Accordingly, the entire prosecution is not liable to be quashed on that score.

What remains to be considered is as to whether the prosecution is maintainable as against the petitioner No. 2. The only allegation against him is that he was the managing director of the company at the material point of time. Now, in the instant case, the offence involved is such that it can be said to have been committed by the petitioner company. The petitioner No. 3 was the acting plant manager of the company in relation to the concerned premises at the material point of time and no argument has been advanced on his behalf in support of quashing of the prosecution as against him. Under Sub-section (1) of Section 62 of the Act of 1985 which corresponds to Sub-section (1) of Section 74 of the Standards Act, whenever a company commits an offence under either of these two Acts, every person who, at the time when the offence was committed, was incharge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and is liable to be proceeded against and punished accordingly. The complaint does not disclose any Other fact so as to implicate the petitioner No. 2 with the offence concerned besides disclosing the fact that he happened to be the managing director of the company. Sub-section (1) of Section 62 of the Act of 1985 does not make the managing director of the company guilty of the offence merely by reason of the fact that he is the managing director of the company. The legal fiction created under the

aforesaid provisions is applicable against any person who was incharge of and was responsible to the company for conduct of the business at the time when the offence was committed. A managing director ipso facto cannot be presumed to be a person incharge of and responsible to the company for the conduct of the business of the company. Whether a person was in charge of and was responsible to the company for the conduct of the business of the company at a particular point of time, is undoubtedly a question of fact to be decided in each particular case. In the absence of any specific averment in the petition of complaint in effect that the petitioner No. 2 as managing director of the company was incharge of and was responsible to the company for the conduct of the business of the company at the time when the offence was committed, the legal friction cannot be pressed into service and this view of mine is fully supported by the series of decisions that were cited on behalf of the petitioners....

## **CHAPTER-VIII**

### **ANNEXURES AND SCHEDULES**

#### **ANNEXURE-I**

#### **THE POLICY FOR FRESH LICENSE FOR MANUFACTURE, REPAIRER AND SALE OF WEIGHTS AND MEASURES**

- Every license shall be issued in a prescribed form on a payment of prescribed fee and shall be valid for a prescribed period.
- Every license application shall be entertained in the prescribed form along with the supporting documents/ papers etc., required for the particular license i.e. manufacturer, repairer or sale of weights and measures with three photographs of every partner and individual.
- Application for licenses shall be examined by the Area Inspectors. The LMO shall furnish a detailed report to the concerned assistant controller along with his observation and recommendation. LMO may visit the premises of applicant for any clarification etc.
- No incomplete application shall be sent to Head Quarter by the LMO.
- All supporting documents etc., should be attested by Notary Public/ Guzatted Officer.
- Assistant Controller shall visit the premises of the applicant as a test check, if he thinks so.
- Incomplete application shall not be entertained by Head Office, such applications shall be deemed to have been filed by the department without intimating to the applicant.
- The fresh application shall be entertained at the division level and shall be process by the division itself. The report along with clear recommendations may be sent to Head Office within 30 days. The entire period of disposal of case will be of 60 days.

## **GUIDELINES FOR FRESH MANUFACTURER LICENSE OF WEIGHTS AND MEASURES**

The license application to manufacturer Weights and Measures shall be furnished in the prescribed Performa i.e. LM-1 along with supporting documents /papers etc. and following point are to be examined .

### **Premises:**

#### **Proof of Legal Possession of Premises:**

The applicant must have legal and physical possession of the premises and furnish a latest rent receipt / sale deed/ house tax receipt/ any other legal documents and No Objection Certificate from the owner of the premises in the case of rented premises as the case may be:-

#### **Minimum space required for smooth and proper working:**

- The workshop premises/ manufacturing premises should be suitable and adequate and it would not be less than the area specified below for the different terms as mentioned against each.

• CI Weight 50 kg. to 50 kg.	<b>100 m<sup>2</sup></b>
• Manufacturing B/Scales, 'A', 'B', 'C', 'D'	<b>40 m<sup>2</sup></b>
• Non automatic weighting machines (Electronic) Class III and IV.	<b>30 m<sup>2</sup></b>
• Weight Bridge (Electronic/ Mechanical)	<b>80 m<sup>2</sup></b>
• Conical, Measures, Length, Bullion Weight	<b>40 m<sup>2</sup></b>
• Taxi Meter/ Auto rickshaw/ fare meter	<b>30 m<sup>2</sup></b>
• Peg Measure	<b>10 m<sup>2</sup></b>
• Clinical Measure	<b>10 m<sup>2</sup></b>
• Domestic Water Meter	<b>20 m<sup>2</sup></b>
• Kitchen Scale/ Tubular Balances/ Bathroom scale	<b>10 m<sup>2</sup></b>
• Sphygmomanometer	<b>15 m<sup>2</sup></b>

**Note:** ( any other item not covered above the area will be considered by the Licensing Authorities at the time of granting license.)

However, if more than one of manufacturing is applied for, the adequacy of the premises is to be by licensing authority, but in no case the manufacturing premises should be less than the minimum area prescribed to manufacture a particular item listed therein applied for( e.g. an applicant intends to manufacture C.I. weights, B/S , then the area should be not less than 140 m<sup>2</sup>)

- In case of manufacturing of electronic weighing/ measuring instruments production of SSI Registration (Permanent ) should be must
- The workshop/ manufacturing premises must be on the ground floor or basement. The workshop/ manufacturing premises to manufacture the following item may be at any floor of the multi-storied commercial complexes/ Industrial Estates/ Factories of Industries Department/ Factories of any other Government or local body subject to condition that suitability of premises will be assessed by the licensing authority before grant of license.
  - Clinical Thermometer
  - Sphygmomanometer.
  - Non automatic electronic weighting scales up to 20 kg.
  - Kitchen scale/ Tubular balances/ bath room scales

### **Workshop Tools & Equipments**

- All necessary equipments required for the concerned items applied for manufacturing.
- All necessary tools required for manufacturing for concerned items.
- Testing provisions facilities for the manufactured items.
- For non-automatic weighting machines (Mechanical).
- The proof of procuring the workshop tools and equipment.



### **Constitution Of The Firm**

In case of proprietorship concern, the firm submits a copy of partnership deed duly attested by first Class Magistrate/ Notary/ Oath Commissioner and in case of Private Limited Company, memorandum and articles of association.

### **MCL/ Original Lal Dora Certificate**

Attested copies of MCL/ Original Lal Dora Certificate of SDM of the area is to be furnished by the applicant along with the application. NO MCL and Certificate is required from the firm in Industrial area approved by the Government of India, Government of Punjab etc. of the Government policy or where the manufacturing industries is registered under SSI permanent basis, the registration certificate is to be submitted for that address and trade.

### **Experience Certificate**

The applicant is required to furnish the experience certificate for at least 2 years for the items applied in the name of skilled worker/ proprietor/ partner/ Director of the firm and minimum three years Diploma in Electrical / Mechanical/ Electronic/ Production Engineering.

### **Literature**

The applicant shall furnish a copy of literature containing the details/ specifications / design of the items to be manufactured.

### **Proof of Financial Status**

The applicant shall furnish the proof of financial status to manufacturer of any Weights and Measures. The licensing authority shall assess the financial status before granting license.

### **Trade Mark**

A copy of the approved trade mark, duly registered with MRPC shall be furnished by the applicant at the time of submitting the application for grant of manufacturing license.

### **Site Plan**

A Site plan of the premises shall be furnished by the applicant.

### **Electric Load**

A proof of sanctioned and installed electric power load required for proper manufacturing of the items shall also be furnished by the applicant.

### **Types Of Weight & Measure**

Certificate of Model approval wherever applicable.

### **Employees**

Copies of appointment letters with photograph, qualification and experience certificate.

### **Machinery**

Tools and accessories list with purchase bill

## **DOCUMENTS TO BE ATTACHED WITH THE PRESCRIBED APPLICATION FORM**

- Proof of legal title of premises attested copy of the sale deed/ lease deed/ allotment letter/ property tax receipt.
- Rent receipt / NOC from the owner.
- Tools and Equipments list.
- List of Testing equipments
- Copy regarding constitution of the firm.
- Experience certificate / certificate of Diploma
- MCL/ Original Lal Dora Certificate
- Copy of the Literature of the items to be manufactured.
- Proof of Financial Status.
- Proof of Power Load sanctioned / installed/ energized by PSEB
- Copy of permanent SSI Registration
- List of skilled/ unskilled workers with their names and addresses.
- Model approval certificate if applicable.

After verification and investigations in details, the inspecting officer shall submit a report alongwith application with his findings, recommendations and observations within reasonable time to the concerned

authority. The inspecting officer should follow the guidelines issued in this respect from time to time by the Controller of Legal Metrology. After due consideration of the report received from the Inspecting Officer and the combined report for technical ability test, if the licensing authority, arrives at the conclusion and is satisfied that the applicant fulfills all the requirements, his/ her application should be considered for grant of license.

### **GUIDELINES FOR THE GRANT OF REPAIRS'S LICENSE**

The license application to repair weights and measures shall be furnished in the prescribed Performa i.e. LR-1 along with supporting documents/papers etc. and the following points to be examined

#### **Primises:**

##### **Proof of Legal Possession of the Workshop Premises -**

The applicant must have legal and physical possession of the premises and furnish latest rent receipt/ sale deed/ house tax receipt/ any other documents and No Objection Certificate from the owner of the property..

##### **Minimum area required for the smooth and proper working -**

The workshop premises should be suitable and adequate not less than the area as detailed below:-

• Weights, Measures, Weighing and Measuring Instruments	<b>15 m<sup>2</sup></b>
• Taxi & Auto rickshaw fare meters	<b>4.5 m<sup>2</sup></b>
• Electronics Weighing Scales	<b>15.5 m<sup>2</sup></b>

The workshop must be within an adequate entrance without opening to any residential part of the premises. The workshop premises must be on ground floor or basement.

The workshop/ repairing premises to repair the following items may be at the any floor at the multi storied commercial complexes/ industrial estate/ flatted factories of the Industrial Department / flatted factories of PUDA/

PSIDC or any other Govt. of the local body subject to condition that suitability of premises will be assessed by the licensing authority before granting license.

- Auto Rickshaw / Taxi Fare Meter
- Electronic Weighting Scales upto 20 kg.
- Kitchen Scales/ Tubular Balance / Bathroom Scales/ Spring Balances
- Sphygmomanometer

**The Work Tools And Equipment:**

The firm shall have sufficient tools and equipments to carry out the repairing work of weight, measure, weighing and measuring instruments

- Set of Files
- Set of screw drivers
- Set of Punches (A to Z)
- Drill Machine
- Set of Spanners
- Set of Ring spanner
- Hammers and Cutters
- Stove/ Heating arrangement
- Melting Pot
- Pouring Pot
- Set of Plumber punches (1 to 9)
- Set of Pliers
- Bench vice
- Sand Paper
- Oil Cane
- Stop watch (for taxi/ auto rickshaw fare meter only)
- Anvil
- Any other necessary equipment required for smooth working.

The proof of procuring the workshop tools and equipment etc., shall also be furnished by the applicant at the time of applying for repairing license.

### **Test Equipment:**

The applicant firm must have the following test equipments:

50 kg. Balance : 'B' Class

5 kg. Balance : -do-

200 g Balance : -do-

2 g Balance : -do-

Test Weights: 50 kg. to 50 g. C.I. Weights

20 kg. to 10 g Brass Weights

10 kg. to 1 mg. Bullion Weights

Test Capacity Measures: 20 l to 100 ml - Conical

2 l to 10 ml - Cylindrical

Test Length Measure: 1 m

Addl. Weights for testing of beam scales and platform scales One Ton

**In case of weight bridges:** 1 Tonne and additional weights upto ¼th capacity of the weigh bridge will be required for testing the weigh bridge at the site.

Arrangement for testing the beam scale in the workshop.

Arrangement for testing the capacity measure/ length measure / peg measure.

### **Loan Articles:**

Beam Scales : 'B' Class – 2 kg/1, 1 kg/1, 500 gm./1  
'C' Class – 500 kg/1, 200 kg/1, 100 kg/1  
50 kg/2, 20 kg/2, 5 kg/2  
2 kg/2, 1 kg/2, 500 g/

C.I. Weights : (i) 50 kg. to 50 g/2  
(ii) 20 kg. to 50 g/2  
(iii) 2 kg/ to 50 g/2

Brass Weights : 1 kg. to 1 mg/ 1

Conical Weights : 20 l to 10 l/1  
5 l to 10 ml/1

Cylindrical Measures : 2 l to 5 ml/ 1

Metre : 1 metre / 1

Counter Scales : 20 kg/1, 10 kg/1, 5 kg/1, 2kg/1, 1 kg/1

The applicant will submit a proof of the loan articles produced from the sources. All the loan articles should be duly verified and stamped by the weights and measures department and verification certificate must be attached with the application.

**Constitution of the Firm:**

In case the firm is not a proprietorship concern, the firm should submit a copy of partnership deed duly attested by the first class Magistrate/ Notary/ Oath Commissioner and in case of Private Comp, Memorandum of Association approved by the Ministry of Consumer Affairs , Govt. of India.

**Qualification**

The applicant should possess certificate from the recognized ITI in relevant branch (e.g. Electronics repairing license required I.T.I. certificate in Electronics Trade).

**Experience Certificate:**

The applicant is required to two years experience certificate for the items applied for repairing. The experience certificate verified by issuing firm area L.M.O. with attested attendance record.

**Site Plan:**

A site plan of the premises shall also be furnished by the applicant. The licensing authority may relax any of the condition or the part of the condition referred above.

**Documents To Be Attached With The Prescribed Application Form:**

- Proof of the legal title of the premises attested copy of the sale deed/ lease deed/ allotment letter/ property tax receipt.
- Rent receipt/ NOC of the owner.
- Tools & Equipments list.
- Test Equipment
- List of Loan articles with verification certificate
- Copy of Constitution of the firm.
- Experience certificate with attendance record verified by area L.M.O. of the certificate issuing firm.

- Certificate from ITI in relevant trade.
- Memorandum of Articles in case of Pvt. Ltd., Co. and Ltd. Co.
- Site Plan
- List of Skilled and unskilled workers with their names and addresses.

After verification and investigations in details, the inspecting officer shall submit a report alongwith application with his findings, recommendations and observations within reasonable time to the concerned authority. The inspecting officer should follow the guidelines issued in this respect from time to time by the Controller of Legal Metrology. After the consideration of the report received from the inspecting officer and the combined report for technical ability test, if the licensing authority, arrives at the conclusion and is satisfied that the application fulfils all the requirements, his/her application should be considered for grant of license.

### **GUIDELINES FOR THE GRANT OF DEALERS LICENSE**

The license application to sell the weights and measures shall be furnished in the prescribed Performa i.e. LD-1 along with supporting documents/ papers etc. and the following points are to be examined.

#### **Premises:**

##### **Proof of Legal possession of the shop premises -**

The applicant must have legal and physical possession of the premises and furnish latest rent receipt/ sale deed/ property tax receipt/ any other documents and NO Objection Certificate from the owner of the property.

##### **Minimum Area Required -**

The shop premises should be suitable and adequate and must be of independent entrance

without opening any residential part of the premises.

#### **Constitution of the Firm:**

In case the firm is not a proprietorship concern the firm should submit a copy of partnership deed duly attested by First Class Magistrate/ Notary / Oath Commissioner and in case of Private Company or limited company,

Memorandum of Association approved by Ministry of Company Affairs,  
Govt. of India

**Site Plan**

A site plan of the premises shall also be furnished by the applicant.

**Proof of Financial Status**

The applicant shall furnish the proof of financial status, to sell any weights and measures. The licensing authority shall assess the Financial status before granting license.

**VAT Number:**

The applicant shall furnish VAT Number, if registered with the concerned department.

**If The Applicant Intends To Import Weight Or Measure:**

The applicant shall submit 'Model Approval certificate' and 'registration as Importer' of weight and measure.

**Documents To Be Attached With The Prescribed Application Form:**

- Proof of the legal title of the premises attested copy of the sale deed/ lease deed/ allotment letter/ property tax receipt.
- Rent Receipt/ NOC from the owner
- Copy of Constitution of the firm.
- Proof of the Financial Status.
- Site Plan
- Memorandum & Articles in case of Private Company and Limited Company.
- VAT Number

After verification and investigation in details, the inspecting office shall submit a report along with the application with his findings, recommendations and observation within reasonable time to the concerned authority. The inspecting officer should follow the guidelines issued in this respect from time to time by the Controller Legal Metrology. After due consideration of the report received from the inspecting officer and the combined report for technical ability test, if the licensing authority, arrives at the conclusion and is satisfied that the applicant fulfills all the requirements his/ her application should be considered for grant of license.



**ANNEXURE II**  
**APPLICATION FOR REGISTRATION OF PACKERS**  
**/IMPORTER/MANUFACTURERS**

Under Rule 27 The Legal Metrology (Packaged Commodities) Rules, 2011

1. Name of the applicant \_\_\_\_\_  
(Firm/Company) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. Complete address \_\_\_\_\_ PIN \_\_\_\_\_  
(including district) District \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. Location of Factory. District \_\_\_\_\_ PIN \_\_\_\_\_
1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_  
5. \_\_\_\_\_
1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_
- 4 Name of the commodity  
or commodities pre-  
packed / manufactured by  
the applicant.
- 5 Name and address of all  
the Directors/  
partners / proprietor of  
the company / firm.

Date : (SIGNATURE OF THE APPLICANT)

Place : Fees receipt No. \_\_\_\_\_

## **ACKNOWLEDGEMENT**

Received an application for registration under Rule 27 of the Legal Metrology (Packaged Commodities) Rules, 2011 from \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_r/o \_\_\_\_\_  
\_\_\_\_\_

Dated \_\_\_\_\_ .

SIGNATURE

## **GUIDELINES**

1. The application form together with cash of Rs. 500.00 in case of new registration and Rs. 100.00 in case of amendment in the registration certificate should be deposited at the concerned Legal Metrology office.
2. In S. No. 2 the complete address at which the registered office of the company / firm is situated is to be mentioned including the name of the street, number assigned to the premises of the manufacturer / packer / Importer.
3. In case of a concern having more than one unit / factory the registration in respect of the registered office of the company / firm only is necessary.
4. For addition of any new pre-packaged commodities to be manufactured / packed / Imported in future the original certificate has to be submitted to the department along with the requisite fees for issue of revised certificate.
5. The self-attested photocopies of the following documents should be submitted along with the form:
  - a. License for trade / manufacture / Factory / Lal Dora certificate from MCD / NDMC / DDA etc. In case the MCD license is not available

with the applicant, an undertaking in the form of affidavit is to be submitted that the business premises is not located in non-conforming area and / or is not likely to be sealed by the MCD or relocated.

- b. Residential Address proof of the proprietors/ directors / partners like voter ID card, passport etc.
  - c. Two copies of the photographs of the proprietors / partners / Directors. One copy to be pasted on the application form.
  - d. Sales Tax/VAT registration.
  - e. Packing material / Slip / Sticker / Label which is being pasted on the packages.
  - f. Memorandum of Association of the Company, Partnership deed in respect of Partnership firms.
  - g. Import-Export Code in case of the importers.
  - h. Supplementary form as annexure.
  - i. A good quality self addressed envelope of size 12 cm X 25 cm with Rs. 32/- postage stamp duly affixed on it. The name of the firm should be mentioned on the envelope instead of name of the proprietor / partner / Directors.
6. The application should be submitted by the applicant in person or through his / her or firms authorized representative. Incomplete application will not be accepted.
7. The Certificate of registration will be sent to the applicant by registered post only. In no case it will be handed over to the applicant or his / her authorized representative.

**ANNEXURE**

**SUPPLEMENTARY FORM FOR REGISTRATION UNDER RULE 27  
OF LEGAL METROLOGY  
(PACKAGE COMMODITIES) RULES, 2011**

1.	Name of the firm	
2.	Address of the firm	
3.	Date of commencement of pre-packing / import	
4.	Declarations which are made on the package (Please Tick)	
	(a) Name & complete address of the registered office of the firm / partnership firm / company	Yes / No
	(b) Maximum retail price (inclusive of all taxes) Rs.....	Yes / No
	(c) Date of manufacturing / packing / import	Yes / No
	(d) Date of expiry in case of food items	Yes / No
	(e) Net contents in terms of weights / volume / length	Yes / No
	(f) Generic name of the commodity	Yes / No
6.	Quantities in which packing is made i.e below 5 g, 5 g, 10 g, 20 g, etc (Please specify)	

7.	Whether the packing is made in Standard quantities as specified in Standards of Weights & Measures (Packaged Commodities) Rules, 1977	Yes / No
8.	Whether the package is a combination package or group package or multi-piece package. Please specify.	
9.	Whether the package is a retail package or whole sale package	
10.	Whether the package contains perishable commodity or food items	
11.	Whether the packed items will also be exported out of country	
12.	Whether the items are being packed for specific industry only as raw material. If yes, specify	
13.	Whether the package contains fast food items.	
14.	Whether the package contains any schedule / non-scheduled formulations covered under the Drugs (price control) order or any agricultural farm produces of 50 kg and above.	
15.	Whether the shop / factory / warehouse is located in area declared as residential / non-conforming?	Yes / No
16.	Whether the shop / factory is located in commercial area ? If yes, attach proof	Yes No

17.	Whether the shop / factory / premises is owned / rented	
18.	The date on which your premises was last inspected by the Inspector of W & M Department. Attach copy of the inspection report, if available	
19.	Whether your firm has been challaned during the last three years for any violation of Weights & Measures laws. If yes, date of challan. Attach copy of notice if available.	
20.	Offences for which challaned and whether it is compounded or not. Attach receipt if available.	

I/We \_\_\_\_\_ her  
 eby solemnly affirm and declare that the information in this form is true to the  
 best of my/our knowledge and belief.

Signature : \_\_\_\_\_

Name of Applicant: \_\_\_\_\_

(Prop. / Partner / Director / Karta of HUF)

Date : \_\_\_\_\_

## **AFFIDAVIT**

I, \_\_\_\_\_

s/o \_\_\_\_\_

r/o \_\_\_\_\_,

do hereby solemnly affirm and declare as under :

1. That I am the citizen of India.
2. That I am having a place of business located at \_\_\_\_\_  
and manufacturing / packing unit / warehouse located at:
  - a. \_\_\_\_\_
  - b. \_\_\_\_\_
  - c. \_\_\_\_\_
3. That the above mentioned business premises are not located in non-conforming areas and / or is not likely to be sealed by the MCD or relocated. No notice for sealing / demolition / relocation has been served upon me / us by the local municipal authority.
4. That in case any sealing / demolition / relocation is carried out in r/o the above business premises, I will inform the Weights & Measures Department immediately.

DEPONENT

### **VERIFICATION:**

Verified at \_\_\_\_\_ on \_\_\_\_\_, that the contents of this affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed there from.

DEPONENT

## ANNEXURE III

### Government of Punjab

#### Food, Civil Supplies and Consumer Affairs Department,

#### (Legal Metrology Organization)

Office address \_\_\_\_\_

#### **Registration Certificate of Manufacturer/Packer/Importer**

[ under Rule 27 of The Legal Metrology (Packaged Commodities) Rules, 2011]

Sr. No. \_\_\_\_\_

Date \_\_\_\_\_

This is to certify that M/s. \_\_\_\_\_

\_\_\_\_\_ is hereby registered as Manufacturer/Packer/Importer in this office vide Registration No. \_\_\_\_\_ and the place of establishment of the Manufacturer/Packer/Importer is as mentioned below:

Place of establishment of the Manufacturer/Packer/Importer

\_\_\_\_\_

Name of the commodity to be Manufactured/Packed/Imported \_\_\_\_\_

Note:

- 1) This registration does not confer any approval from the Government for particulars mentioned in the application. Further no responsibility for assistance for foreign exchange or otherwise rests on the Government
- 2) In case of closure of business the holder shall return this registration certificate to the office for cancellation.
- 3) If any alteration is to be incorporated in this registration certificate, application shall be made for alteration in registration certificate. Various establishments mentioned in this certificate shall be intimated about this registration number.
- 4) Legal Metrology Officials will ensure the said information while carrying out net weight /measure tests in the premises.



## ANNEXURE-IV

### ਟੈਂਕ ਲਾਰੀਆ ਦੀ ਪੜਤਾਲ/ਕੈਲੀਬਰੇਸ਼ਨ ਸਬੰਧੀ ਗਈਡ ਲਾਈਨ ਬਾਬਤ ਨੁਕਤੇ

1. ਟੈਂਕ ਲਾਰੀਆਂ ਦੀ ਪੜਤਾਲ ਕਰਨ ਸਬੰਧੀ ਦਿਨ ਅਤੇ ਸਮਾਂ ਨਿਸਚਿਤ ਕੀਤਾ ਜਾਵੇ। ਦਿਨ ਅਤੇ ਸਮਾਂ ਸਬੰਧਤ ਦਫਤਰ ਦੇ ਬਾਹਰ ਅਤੇ ਤੇਲ ਕੰਪਨੀਆਂ ਦੇ ਡੀਪੂਆਂ ਵਿੱਚ ਨੋਟਿਸ ਬੋਰਡ ਜਾਂਕਿਸੇ ਖਾਸ ਥਾਂ ਤੇ ਲਿਖਿਆ (ਪ੍ਰਦਰਸ਼ਿਤ) ਕੀਤਾ ਜਾਵੇ।
2. ਪੜਤਾਲ/ਕੈਲੀਬਰੇਸ਼ਨ ਸਮੇਂਨਿਰੀਖਕ ਆਪਣੀ ਹਾਜ਼ਰੀ ਯਕੀਨੀ ਬਣਾਏ ਅਤੇ ਹਰ ਤੇਲ ਕੰਪਨੀ ਵਿੱਚ ਗੇਟ ਐਂਟਰੀ ਦਰਜ ਕਰੇ ਅਤੇ ਗੇਟ ਐਂਟਰੀ ਜਾਂ ਗੇਟ ਪਾਸ ਨੰਬਰ. ਆਦਿ ਹਰ ਪੜਤਾਲ ਸਰਟੀਫਿਕੇਟ ਵਿੱਚ ਦਰਜ ਕਰੇ।
3. ਤੇਲ ਕੰਪਨੀਆਂ ਵਿੱਚ ਐਂਟਰੀ ਅਤੇ ਵਾਪਸੀ ਦਾ ਸਮਾਂ ਰੋਜਾਨਾ ਸਾਰ ਵਿੱਚ, ਡੀਪੂ ਵਾਈਜ਼ ਅਲਗ ਦਰਸਾਇਆ ਜਾਵੇ ਜੋ ਕਰਾਸ ਚੈੱਕ ਕਰਨ ਤੇ ਠੀਕ ਹੋਵੇ।
4. ਪੜਤਾਲ ਸਰਟੀਫਿਕੇਟ ਤੇ ਹੇਠ ਲਿਖਿਆ ਵੇਰਵਾ ਦਰਜ ਕੀਤਾ ਜਾਵੇ:
  - (1) ਪੜਤਾਲ ਰਸੀਦ ਨੰ. ਅਤੇ ਵਪਾਰੀ ਦਾ ਨਾਂ ਅਤੇ ਮੁਕੰਮਲ ਪਤਾ ਜੋ ਟੈਂਕ ਲਾਰੀ ਦੇ ਰਜਿਸਟਰੇਸ਼ਨ ਸਰਟੀਫਿਕੇਟ ਮੁਤਾਬਿਕ ਸਹੀ ਹੋਵੇ। ਰਜਿਸਟਰੇਸ਼ਨ ਨੰ., ਇੰਜਨ ਨੰ. ਅਤੇ ਚੈਸੀ ਨੰ. ਆਦਿ।
  - (2) ਪੜਤਾਲ ਕਰਵਾਉਣ ਸਮੇਂ ਡਰਾਈਵਰ ਸਬੰਧੀ ਵੇਰਵਾ ਜਿਵੇਂ ਨਾਂ, ਪਿਤਾ ਦਾ ਨਾਂ, ਲਾਇਸੈਂਸ ਨੰਬਰ ਜਾਂ ਕੰਪਨੀ ਵੱਲੋਂ ਜਾਰੀ ਕੀਤਾ ਆਈ.ਡੀ. ਨੰ. ਆਦਿ ।
  - (3) ਡਰਾਈਵਰ/ਅਧਿਕਾਰਤ ਆਦਮੀ ਅਤੇ ਕੰਪਨੀ ਦੇ ਜਿੰਮੇਵਾਰ ਵਿਅਕਤੀ ਦੇ ਹਸਤਾਖਰ।
  - (4) ਪੀ.ਐਲ., ਡੀ.ਐਲ., ਸੇਕਟਾਂ ਦੀ ਗਿਣਤੀ, ਡਿਪ ਰਾਡ ਦੀ ਲੰਬਾਈ, ਲੀਫ ਸਪਰਿੰਗ ਅਤੇ ਹੈਲਪਰਾਂ ਦੀ ਗਿਣਤੀ, ਅਗਲੇ ਅਤੇ ਪਿਛਲੇ ਪਹੀਆਂ ਦੀ ਗਿਣਤੀ ਅਤੇ ਟਾਇਰ ਸਾਈਜ਼ ਆਦਿ।
  - (5) ਪਹਿਲੇ ਪੜਤਾਲ ਸਰਟੀਫਿਕੇਟ ਦਾ ਨੰਬਰ ਅਤੇ ਮਿਤੀ।
  - (6) ਟੈਂਕ ਲਾਰੀ ਅਤੇ ਨਿਰੀਖਕ ਦਾ ਗੇਟ ਪਾਸ ਐਂਟਰੀ ਨੰਬਰ।
  - (7) ਟੈਂਕ ਲਾਰੀ ਦੇ ਟੈਂਕਰ ਸਾਈਜ਼, ਲੰਬਾਈ, ਚੌੜਾਈ, ਉਚਾਈ ਅਤੇ ਘੇਰਾ ਆਦਿ।

5. ਪੜਤਾਲ ਸਮੇਂ ਰਜਿਸਟਰੇਸ਼ਨ ਨੰਬਰ, ਇੰਜਨ ਨੰਬਰ ਅਤੇ ਚੈਸੀ ਨੰ. ਸਹੀ ਹੋਣ ਦੀ ਪੁਸ਼ਟੀ ਕੀਤੀ ਜਾਵੇ।
6. (1) ਟੈਂਕ ਲਾਰੀਆਂ ਦੀ ਪੜਤਾਲ/ਕੈਲੀਬਰੇਸ਼ਨ, ਲੀਗਲ ਮੀਟਰੋਲੋਜੀ (ਜਨਰਲ) ਰੂਲ 2011 ਦੇ ਰੂਲ 14 ਦੇ ਨੇਵੇਂ ਸ਼ਿਡਿਊਲ(NINTH SCHEDULE) ਅਨੁਸਾਰ ਕੀਤੀ ਜਾਵੇ।  
(2) ਟੈਂਕ ਲਾਰੀਆਂ ਉੱਪਰ ਮਾਰਕਿੰਗ ਅਤੇ ਸਟੈਂਪਿੰਗ ਨਿਰਧਾਰਤ ਸਪੈਸੀਫਿਕੇਸ਼ਨ ਅਨੁਸਾਰ ਕੀਤੀ ਜਾਵੇ। ਜਿਸਲਈ  
ਉਕਤ ਸਪੈਸੀਫਿਕੇਸ਼ਨ ਦੇ ਪੈਰਾ 6(ਏ) ਅਨੁਸਾਰ ਬਰਾਸ ਪਲੇਟ ਲਗਾਈ ਜਾਵੇ ਅਤੇ ਲੋੜੀਂਦੀ ਮਾਰਕਿੰਗ ਅਤੇ ਸਟੈਂਪ ਨਿਯਮਾਂ ਅਨੁਸਾਰ ਲਾਈ ਜਾਵੇ ਅਤੇ ਪੈਰਾ 6 (ਬੀ) ਅਤੇ (ਸੀ) ਅਨੁਸਾਰ ਟੈਂਕ ਅਤੇ ਡਿਪ ਦੀ ਮਾਰਕਿੰਗ ਕੀਤੀ ਜਾਵੇ।
7. ਨਵੀਂ ਟੈਂਕ ਲਾਰੀਆਂ ਦੀ ਕੈਲੀਬਰੇਸ਼ਨ/ਪੜਤਾਲ ਸਮੇਂ ਹੇਠ ਲਿਖੇ ਦਸਤਾਵੇਜ਼ ਪ੍ਰਾਪਤ ਕੀਤੇ ਜਾਣ:
  - (1) ਟੈਂਕ ਲਾਰੀ ਦੀ ਰਜਿਸਟਰੇਸ਼ਨ ਅਤੇ ਫਿਟਨੈਸ ਸਰਟੀਫਿਕੇਟ ਜੋ ਜਿਲ੍ਹਾ ਟਰਾਂਸਪੋਰਟ ਅਫਸਰ ਵੱਲੋਂ ਜਾਰੀ ਕੀਤਾ ਗਿਆ ਹੋਵੇ।
  - (2) ਟੈਂਕਰ ਫੈਬਰੀਕੇਟਰ ਸਬੰਧੀ ਦਸਤਾਵੇਜ਼ ਜਿਵੇਂ ਬਿਲ, ਸੇਫਟੀ ਫਿਟਿੰਗ ਅਤੇ ਟੈਸਟ ਸਰਟੀਫਿਕੇਟ ਅਤੇ ਪ੍ਰਵਾਨ ਹੋਈ ਡਰਾਇੰਗ ਦੀ ਕਾਪੀ ਆਦਿ।
8. ਜੇ ਕੋਈ ਡਿਊ ਮਿਤੀ ਤੋਂ ਪਹਿਲਾਂ ਹੀ ਪੜਤਾਲ ਕਰਾਉਣੀ ਚਾਹੁੰਦਾ ਹੈ ਤਾਂ ਉਸ ਤੋਂ ਲੋੜੀਂਦੀ ਅਰਜੀ ਸਹਿਤ, ਦੁਬਾਰਾ ਕੈਲੀਬਰੇਸ਼ਨ ਕਰਵਾਉਣ ਦਾ ਕਾਰਨ, ਲਿਖਤੀ ਰੂਪ ਵਿੱਚ ਲਿਆ ਜਾਵੇ।
9. ਡਿਪ ਰਾਡ ਤਬਦੀਲ ਹੋਣ ਦੀ ਸੂਰਤ ਵਿੱਚ, ਪਹਿਲੀ ਡਿਪ ਰਾਡ ਸਬੰਧੀ ਪੁਲਿਸ ਰਿਪੋਰਟ ਜਿਵੇਂ ਕਿ ਐਫ.ਆਈ.ਆਰ/ਡੀ.ਡੀ.ਆਰ ਅਤੇ ਅਰਜੀ ਲੈਕੇ ਦੁਬਾਰਾ ਪੜਤਾਲ ਕੀਤੀ ਜਾਵੇ।
10. ਡਿਪ ਰਾਡ ਤੇ ਹਰ ਪੀ.ਐਲ./ਡੀ.ਐਲ ਨਿਸ਼ਾਨ ਅਤੇ ਰਾਡ ਦੇ ਹੇਠਾਂ ਮੋਹਰਾਂ ਲਾਈਆਂ ਜਾਣ ਅਤੇ ਟੈਂਕ ਲਾਰੀਆਂ ਦੇ ਮੈਨ ਹੋਲਾਂ ਤੇ ਪੰਪ ਵਾਲੀ ਸੀਲਿੰਗ ਤਾਰ ਅਤੇ ਚੌਰਸ ਸੀਲ ਲਾਕੇ ਪੰਪ ਪਲਾਇਰ ਨਾਲ ਪੜਤਾਲ ਮੋਹਰ ਲਾਈ ਜਾਵੇ।

11. ਪੜਤਾਲ ਹੋਈ ਟੈਕ ਲਾਰੀ ਦੇ ਟੈਕ ਦੀ ਮੁਰੰਮਤ, ਟੈਕ ਬਦਲਣ ਜਾਂ ਡਿਪ ਰੋਡ ਆਦਿ ਬਦਲਣ ਲਈ, ਟਰਾਸਪੋਰਟਰ ਵੱਲੋਂ ਨਿਯਮਾਂ ਅਨੁਸਾਰ ਲਿਖਤੀ ਰੂਪ ਵਿੱਚ ਅਗਾਂਹੂ ਪ੍ਰਵਾਨਗੀ ਲਈ ਜਾਵੇ ਅਤੇ ਸਬੰਧਤ ਤੇਲ ਕੰਪਨੀਆਂ ਤੋਂ ਵੀ ਪ੍ਰਵਾਨਗੀ ਜਾਂ ਇਤਰਾਜ਼ ਹੀਣਤਾ ਸਰਟੀਫਿਕੇਟ ਪ੍ਰਾਪਤ ਕੀਤਾ ਜਾਵੇ।
12. ਟੈਕ ਲਾਰੀ ਦੀ ਡਿਪ ਰਾਡਾਂ ਦੀ ਵਿਕਰੀ ਸਿਰਫ ਨਾਪ ਤੇਲ ਦੇ ਡੀਲਰਾਂ ਵੱਲੋਂ ਹੀ ਕੀਤੀ ਜਾਵੇ। ਇਸ ਸਬੰਧੀ ਡਿਪ ਰਾਡ ਦਾ ਬਿਲ ਆਦਿ ਪ੍ਰਾਪਤ ਕੀਤਾ ਜਾਵੇ ਅਤੇ ਆਮ ਦੁਕਾਨਾਂ ਤੇ ਇੰਨਾਂ ਦੀ ਵਿਕਰੀ ਬੰਦ ਕੀਤੀ ਜਾਵੇ ਅਤੇ ਡੀਲਰਾਂ ਵੱਲੋਂ ਇੰਨਾਂ ਦਾ ਰਿਕਾਰਡ ਰੱਖਿਆ ਜਾਵੇ ਜੋ ਨਿਰੀਖਕ ਸਮੇਂ ਸਮੇਂ ਤੇ ਚੈੱਕ ਕਰੇ, ਜਿਸ ਨਾਲ ਡਿੱਪਾਂ ਦੇ ਗਲਤ ਉਪਯੋਗ ਨੂੰ ਰੋਕਿਆ ਜਾ ਸਕੇ।
13. ਪੜਤਾਲ/ਕੈਲੀਬਰੇਸ਼ਨ ਸਿਰਫ ਤੇਲ ਕੰਪਨੀਆਂ ਦੇ ਕੈਲੀਬਰੇਸ਼ਨ ਟਾਵਰਾਂ ਤੇ ਕੀਤੀ ਜਾਵੇ ਅਤੇ ਪਰੂਫਿੰਗ ਟੈਸਟ ਮਈਅਰਜ਼ ਸਟੀਲ ਦੇ ਤਰੁੰਤ ਪ੍ਰਭਾਵ ਤੇ ਲਗਵਾਏ ਜਾਣ ਅਤੇ ਇੰਨਾਂ ਦੀ ਦੁਬਾਰਾ ਪੜਤਾਲਯਕੀਨੀ ਬਣਾਈ ਜਾਵੇ।
14. ਕੈਲੀਬਰੇਸ਼ਨ/ਪੜਤਾਲ ਸਬੰਧੀ ਉਚੇਚੇ ਤੌਰ ਤੇ ਕੈਲੀਬਰੇਸ਼ਨ ਸਰਟੀਫਿਕੇਟ ਵਿੱਚ ਦਰਜ ਸੂਚਨਾ ਨੂੰ ਵੱਖਰੇ ਤੌਰ ਤੇ ਰਜਿਸਟਰ ਵਿੱਚ ਦਰਜ ਕੀਤਾ ਜਾਵੇ ਅਤੇ ਟੈਕ ਲਾਰੀ ਸਬੰਧੀ ਮੁਕੰਮਲ ਰਿਕਾਰਡ ਰੱਖਿਆ ਜਾਵੇ ਤਾਂ ਜੋ ਲੋੜ ਪੈਣ ਤੇ ਤੁਰੰਤ ਮਿਲ ਸਕੇ ਅਤੇ ਕੰਪਿਊਟਰ ਡਾਟਾ ਦੇ ਰੂਪ ਵਿੱਚ ਅਪਡੇਟ ਵੀ ਰੱਖਿਆ ਜਾ ਸਕੇ।

**ANNEXURE: V**

**Government of Punjab**

**(Food, Civil Supplies and Consumer Affairs Department)**

**Legal Metrology Organization**

**The Legal Metrology Act, 2009**

**NOTICE**

(For rejected weight or measure)

Date: -----

To,

\_\_\_\_\_

This is to bring to your notice that, during my verification/inspection on.....,I found that the following weight or measure being produced for inspection/verification/used by you, does not conform to the Standards established by the Act and Rules made there under. The following defects are found in them. You are hereby directed to remove the defects within a period not exceeding seven days and inform this office for further necessary action.

S. No.	Description of weight or measure	Defects found

Address of Inspector

Inspector Legal Metrology

-----Centre.

Signature of the user/representative

## **ANNEXURE VI**

The Legal Metrology Act, 2009

### **GOODS SUBJECT TO SPEEDY OR NATURAL DECAY**

1. Name and address of the trader  
from whom the goods are seized:
2. Name and address of the Manufacturer/  
Packer/Importer if the goods seized are  
in packaged form.
3. Nature and description of the goods seized:
4. Actual weight or measure of the goods seized:
5. Approximate value in rupees  
of the goods seized :
6. Remarks:

Signature of the Inspector Legal Metrology

## **DECLARATION OF THE TRADER**

The above seized goods valued about `\_\_\_\_\_ (Rupees.....) have been returned to me as they are subject to speedy or natural decay. I am responsible for the value of the goods and I undertake to abide by the instructions of the Department or Court.

I solemnly state that the facts mentioned above are true.

Signature of the Trader or His Agent

Signature of witnesses:

- 1.
- 2.

## **ANNEXURE VII**

**Following substances may be considered as naturally decaying substances**

(The list is only illustrative and not exhaustive and can be included/ excluded as per order of the Controller)

The list of speedy or naturally decaying substances is given below:

- 1) Liquid milk and liquid products of milk (uncanned)
- 2) Vegetables.
- 3) Bread, butter, butter milk and curd.
- 4) Fruits
- 5) Ice cream
- 6) Cheese
- 7) Fish
- 8) Petrol, diesel, kerosene, LPG and CNG
- 9) Seeds and fertilizers
- 10) Sweets
- 11) Meat
- 12) Camphor
- 13) Explosives including crackers
- 14) Fast foods.

## ANNEXURE VIII

### Undertaking for seized and detained property

#### UNDERTAKING

With reference to the seizure receipt no. dated \_\_\_\_\_ and inspection report dated \_\_\_\_\_ issued to me by Inspector. I, the undersigned ..... residing at \_\_\_\_\_ and working as \_\_\_\_\_ at/of M/s..... hereby undertake that goods/weight or measure worth ` (approximately) containing..... have been seized by you as these goods are not in compliance with The Legal Metrology Act, 2009 and Rules made thereunder. Out of which .....weight or measure/ number\_\_\_\_\_ **of package worth `..... (approximately) are kept in sealed condition in my premises at.....** in my custody and control.

I, further undertake that I shall not sell or otherwise dispose of the said goods until I receive the order from the Hon'ble Court or any other competent authority. I shall not make any alteration in said weight or measure/packages. I undertake that I am wholly responsible for the custody of such weight or measure/packages. I further undertake that I shall produce the said goods/packages as, when and wherever required by either Hon'ble Court or any other competent authority at my expenses.

I have given this undertaking willingly and voluntarily.

Place:

Date:

Signature of the concerned person



## ANNEXURE IX

### Notice

#### Office of The Inspector Legal Metrology

Centre.....District.....

To,

M/s.....

.....

Memo No.ILM/...../ V. and S./20...../....Date-.....

Subject- Verification and stamping of weight or measure

**Reference-** Inspection of your premises on dated .....

During my inspection today I found that the following weight or measure being used by you, were due for verification and stamping on .....Use of unverified weight or measure is an offence under Legal Metrology Act, 2009 and Rules made there under. You are hereby directed to stop the use of following weight or measure and to produce the same for verification and stamping within 7 days.

Sr. No.	Details of weight or measure	Quarter and year of stamping	Verification certificate Number and Date	Date on which verification became due
1	2	3	4	5

Inspector, Legal Metrology

.....Centre.....District.

## ANNEXURE X

### A. Inspection Report of Inspector Legal Metrology Office

#### 1. General

Office Inspection of the Inspector Legal Metrology , -----Center-----  
 - District.-----

1	Name of Inspector			
2	Date of Appointment			
3	Date From Which Working In the present Division			
4	Jurisdiction			
5	Period of inspection			
6	Date of inspection			
7	Date of last Inspection			
8	Date of compliance of last inspection			

#### 2. Summary of collection of Fees

Sr. No.	Particulars	Last Cycle		Current Cycle	
		Expected Rs.	Actual Rs.	Expected Rs.	Actual Rs.
1	Manufacturers				
2	Dealers				
3	Repairers				
4	Traders				
5	Hawkers				
6	Industries				

7	Govt./Semi Govt. Offices				
8	Co-op. Society				
9	Railways				
10	Posts				
11	Flow Meters				
12	Petrol Pumps/ CNG/LPG				
13	Storage Tanks				
14	Vehicle Tanks				
15	Auto /Taxi Meters				
16	Other Fees				
17	Additional Fees				
18	Total				

3. Total number of trading units visited during inspection visits.

4. Coverage of camps, traders, villages, etc.

Sr.No.	Particulars	Expected	Actual
1	Camps		
2	Villages		
3	Traders		
4	Hawkers		
5	Industries		
6	Govt. /Semi-Govt. Offices		
7	Co-op Soc.		
8	Railways		
9	Posts		

10	Flow Meters		
11	Petrol Pumps/ CNG / LPG		
12	Storage Tanks		
13	Vehicle Tanks		
14	Auto/Taxi Meters		
15	Others		

#### 5. Prosecution Work

Sr. No.	Particulars	Last Cycle		Current Cycle	
		Expected Rs.	Actual Rs.	Expected Rs.	Actual Rs.
1	No. of cases booked by the Inspector				
2	No. of cases convicted by the Court				
3	Amount of fine ordered by the Court in Rs.				
4	No. of cases acquitted by the Court				
5	No. of cases compounded				
6	Amount of compounding fees in Rs.				
7	No. of cases pending With Court With Inspector				
	Total				

6. Maintenance of Registers /Reports/Office Work

Sr. No.	Particular	Remarks
1	Daily Summary Report	
2	Cash Balance Report	
3	Monthly Work Report	
4	Camp Completion Report	
5	Prosecution Register	
6	Seizure receipt account register	
7	Verification Certificate account register	
8	Money Receipt account register	
9	Postal stamp register	
10	Cash Book	
11	Actual Cash in hand, on the date of inspection. Whether the cash tallies with closing balance shown in cash book	
12	Dead stock Register	
13	Register for bills sent to Railways and Post	
14	Movement Register	
15	Complaint Register	
16	Muster	
17	Seized articles room and physical stock	
18	Details of auction and its proceedings regarding the seized article	
19	Whether Inspector is taking proper precaution for the safe custody and maintenance of Laboratory equipments, stamps, scales and other Government Property?	
20	Whether all Cash is being credited into Government treasury?	
21	Laboratory condition	

22	Whether working standards are being verified regularly?	
23	Whether all test weights, measures, etc. are maintained and duly verified and stamped?	
24	Whether the Inspector is strictly adhering to the work programme for coverage of his area?	
25	Whether files of circulars and Government Notifications are maintained?	

#### 7. Relation of Inspector with

1	Staff	
2	Trader	
3	Repairers	
4	Dealers	
5	Manufacturers	
6	Officials	
7	General Public	

#### 8. General Comments on the Inspector's field work

1	Collection of Verification and stamping fees	
2	Inspection of trading units	
3	Seizure work	
4	Attendance to complaints received	
5	Visits to premises of manufacturer, dealer and repairer and checking of their records	

#### 9. Any other observations.

Signature

Assistant Controller, Legal Metrology

## B. Inspection Report of Assistant Controller's Office

Inspection Report of the office of the Assistant Controller of Legal Metrology, \_\_\_\_\_ Division, conducted from \_\_\_\_\_ to \_\_\_\_\_ by the Controller of Legal Metrology, Punjab,/ Deputy Controller of Legal Metrology Head Quarter.

The earlier office inspection of the office of the Assistant Controller of Legal Metrology \_\_\_\_\_ Division, was conducted from \_\_\_\_\_ to \_\_\_\_\_ District was conducted from \_\_\_\_\_ to \_\_\_\_\_ by the office of the \_\_\_\_\_ and the compliance report thereof was submitted on \_\_\_\_\_.

### 1. About Establishment.

Following officers were posted to the office as Assistant Controller, the names and their tenures are as follows:

Sr. No.	Name of the Assistant Controller	Tenure	
		From	To

There are \_\_\_\_\_ Inspectors Legal Metrology in the divisions

- i.) Structure and working procedure:
- ii.) Pending Departmental Enquiry (if any):
- iii.) Pension Matters:
- iv.) Government Resolution and Circular File:
- v.) Postage Stamp Register (Performa A and B):

Sr. No.	Value of Ticket	Nos.	Amounts in Rs.
1	Rs.1		
2.	Rs. 2		
3.	Rs. 5		
4.	Rs. 10		
		Total	

vi. Details Regarding Permanent and Temporary Posts:

Sr. No.	Designation	Detailed Description					
		Sanctioned Posts	Filled Posts	Vacant Posts	Permanent Posts	Temporary Post	Total
1.	Assistant Controller						
2.	Inspector						
3.	Clerk/Typist						
4.	Field Assistant						
5.	Peon						
	Total						

vii Leave Matters:

viii New Appointments:

ix Quarterly/Half Yearly Reports:

x. Trainings:

xi. Casual Leave Register:

xii. Caste Certificate Verification:

The Caste verification of following employee/officer is not yet done and certificate to that effect is yet to be submitted to the office.

Sr. No.	Name of Employee/Offer	Designation

xiii Compliant Register

xiv Register Regarding RTI Act.

xv. Service Books.

Sr. No.	Name of the Employee/Officer	Discrepancy in Service Book



xvi. Details about Office Inspection Conducted by the Assistant Controller:

xvii. Stationery Indent Register

**2. Regarding Account Matters:**

i.) Register regarding office rent/lease.

ii.) Register regarding un-disbursed amount.

iii.) Advance Register/Other Register

iv.) Cash Box:

v.) Cash Book:

vi.) Loan Register

vii.) General Provident Fund Account IV Employees:

viii.) Bills Regarding General Provident Fund Accounts of Class III Employee:

ix.) Expenditure Statement for the year\_\_\_\_\_.

Sr. No.	Details	Pay(Gross) Rs.	Telephone Bill Rs. Travelling Expenses Rs.	Office Expenditure Rs.	Office Expenditure for Private Vehicles Rs.	Rent, Rates and Taxes Rs.	Computer Rs.	Total Amount
1	Budgetary Sanctioned Grant for the Year 20__- __							
2	Expenditure Since April 20_____							
3	Balance Grant Rs.							

**x. Travelling Allowance Bills**

xi. Pay Bills

xii. Office Expenditure

xiii. Income Tax:

xiv. Tour Diary of Assistant Controller:

**3. Regarding Work Done in Respect of Weights and Measures and Packaged Commodities**

i. Description of work done

<b>Details</b>	<b>Expected Target</b>	<b>Achievement</b>	<b>Percentage</b>
Verification and stamping fees in Rs.			
Compounding amount in			
Registered cases under weight or measure			
Registered cases under PC Rules			

ii. Comparative Statement

<b>Details</b>	<b>Upto _____ (Previous Year Same Month)</b>	<b>Upto _____ (Current Same Month)</b>	<b>Difference</b>
Verification and stamping fees in Rs.			
Compounding amount in			
Registered cases under weight or measure			
Registered cases under PC Rules			

iii. Prosecution registers:

- Compounded cases
- Closed cases due to non-traceability of accused etc.
- Clubbed cases

iv. Packer registration:

v. Pending Cases with Inspectors:

<b>District</b>	<b>Upto 3Months</b>	<b>Between 3 and 6 Months</b>	<b>Above 6 Months</b>
Weight or measure cases			
PCR Cases			
Total			

vi. Regarding Weights and Measures Licenses (Repairer/Dealer):

<b>Sr.No.</b>	<b>Description</b>	<b>Repairer</b>	<b>Dealer</b>
1.	Renewal of License		
2.	Pending for Renewal		
3.	New Applications Received		
4.	Pending Applications		

vii. General Remarks:

Controller Legal Metrology/

Deputy Controller Legal Metrology

## ANNEXURE XI

### Intimation letter to accused

Case Reg No./20...-20.....

NO/ILM/...../Prosecution/20.../...

Office of the Inspector Legal Metrology.....Div...      Date.....

To,

.....

Sub:- 1) Appearance before Court of Law.

2) As per Indian Penal Code section 174 (As per sec. 45 of 1860)

Ref :- 1) The Seizure Receipt No ..... dated .....

2) Compounding Notice No.....dated. ....

3) Compounding Order No.....dated.....

A Criminal Case against you/your Firm and/or Owner/Partners/Directors/Responsible persons of your firm is being lodged as per following provisions of Act and Rules made there under on \_\_\_\_\_ at. \_\_\_\_ a.m./p.m. before the Hon. Court \_\_\_\_\_ for violation of-----

- 1) Sec..... of The Legal Metrology Act, 2009 punishable u/s.....
- 2) Rule. ....The Legal Metrology (Packaged Commodities) Rules,2011 punishable under Rule.....
- 3) Rule ... of Punjab Legal Metrology (Enforcement) Rules, 2011 punishable under rule....

The following persons are requested to attend the Court on the abovementioned date and time.

Sr. No.	Name of the Person	Designation
1)	.....	.....
2)	.....	.....
3)	.....	.....

Inspector,

Division..... District.....

Copy submitted for information to Hon. C.J.M./Judicial Magistrate First Class,

Court No. \_\_\_\_\_ at \_\_\_\_\_

**ANNEXURE XII**  
**Form of complaint**  
**Government of Punjab**  
**(Food, Civil Supplies and Consumer Affairs Dept.)**  
**(Legal Metrology Organization)**  
**The Legal Metrology Act 2009**

In the Court of Honorable Chief Judicial Magistrate First Class

1. Name of the Complainant and his address:
2. Name of the accused and their address :
3. Nature of offence :
4. Date and place of offence :
5. Details of the property attached if any :
6. Particulars of offence

The Complainant Shri \_\_\_\_\_ Inspector, \_\_\_\_\_ who is appointed under Section 14 of the Legal Metrology Act, 2009 and empowered under Sections 13 and 14 of the said Act and also as per Section 190 of the Criminal Procedure Code, 1973 to prosecute the offender under The Legal Metrology Act, 2009 which empowers the Magistrate to take cognizance of offence, on the basis of complaint received. Since prima facie the accused is guilty of offence committed under Section \_\_\_\_\_ of The Legal Metrology Act, 2009, read with Rule \_\_\_\_\_ of \_\_\_\_\_ Rules, 2011. This complaint is hereby made for institution of prosecution against the accused.

7. The accused is the Owner/Partner/Director/Manager of the shop/stall/ Factory etc. situated at \_\_\_\_\_
8. The accused has therefore, committed a breach of Section \_\_\_\_\_ of The Legal Metrology Act, 2009 and Rule \_\_\_\_\_ of The Legal Metrology (Packaged Commodities) Rules, 2011/ The Punjab Legal Metrology (Enforcement) Rules, 2013 and is, therefore guilty of the

offence punishable under section \_\_\_\_\_ of The Legal Metrology Act, 2009 and under Rule\_\_\_\_\_ of

The Legal Metrology (Packaged Commodities) Rules, 2011/The Punjab Legal Metrology (Enforcement) Rules, 2013.

9. The following persons may be summoned as witness, in the case.

i) Name:  
Address:

ii) Name:  
Address:

10. Prayer: the Complainant therefore, prays that the accused should be tried according to law for the offence mentioned hereinabove.

Date : Inspector Legal Metrology

Address of the complainant .....Centre.

.....

.....

Case papers submitted as under:

- 1) Original copy of Seizure receipt/Inspection Report
- 2) Original prosecution report copy ( )
- 3) Complaint form ( )

**ANNEXURE XIII**

**Request letter to stop Proceedings**

IN THE COURT OF HON'BLE ADDITIONAL CHIEF METROPOLITAN  
MAGISTRATE/JUDICIAL MAGISTRATE FIRST CLASS AT.....

C. C. No. \_\_\_\_\_/20

Inspector Legal Metrology

\_\_\_\_\_Centre.

..... Complainant

V/S

M/s. \_\_\_\_\_

\_\_\_\_\_..... Accused

MAY IT PLEASE YOUR HONOUR

Whereas, during the pending prosecution before this Hon. Court in C. C. No. ....../20..... the accused requested to compound the offence under intimation to the court. Whereas the compounding authority has passed an order dated....., copy of which is enclosed herewith for reference. Whereas, amount of compounding fee Rs/-.....has been deposited vide Money Receipt /ChallanNo. ....dated.....copy of same is attached herewith.

Therefore an appropriate order to stop the further proceedings envisaged under Sub-section 5 of Section 48 of The Legal Metrology Act, 2009 may kindly be passed.

Date : .....

Inspector Legal Metrology,

Place- .....

.....Centre.

## ANNEXURE XIV

(Application for verification of weight or measure at the user's premises)

From: (Name and Address of the Applicant).....Date-.....

To

The Inspector Legal Metrology,

.....Centre.....District.

Sir,

I/We herewith request to verify the following weight or measure which are being used/intended to be used by me/us at my/our premises mentioned above.

Sr. No.	Details of weight or measure with make, capacity, accuracy, class, Serial No. etc.	Last V.C. No. and Date	Remark

I/We request you to give me/us suitable date for verification and stamping of above said weight or measure. The copy/copies of last verification certificate/s is/are attached herewith for your reference. I shall provide the requisite facilities for the verification of the same.

Yours sincerely,

Place:

Date:

(Name and Designation)



**ANNEXURE XV**

**(Intimation Letter for verification of weight or measure at user's premises)**

From

Inspector Legal Metrology,

.....Centre.

To,

.....

Memo No.....Date.....

Sub: - Verification of weight or measure at your premises.

Ref: Your application dated.....

With reference to above this is to inform your that verification and stamping of the referred weight or measure will be carried out on dated..... You are requested to deposit the verification fee of Rs.....on or before the date of verification given above.

You are also requested to arrange the following facilities to carry out the verification.

1. The standard weight.....kg.
2. Constant (dummy) load.....kg.
3. Standard Measures.....
4. Number of unskilled labours.....
5. Transport facility for working standard weight or measure and other equipments.
6. The weight or measure shall be provided with necessary sealing arrangements to receive the stamp of verification authority.

Inspector Legal Metrology

.....Centre

District.....

**ANNEXURE XVI**

**Performa for compounding Notice**

Office of the Inspector Legal Metrology Officer

Centre.....District.....

To,

M/s.....

.....

Memo No.ILM/...../Notice/20...../.....Date.....

- Sub:- 1) The Legal Metrology Act, 2009.  
2) The Legal Metrology (P.C.) Rules, 2011.  
3) The Punjab Legal Metrology (Enf.) Rules, 2013

Ref.:- SeizureReceipt No.\_\_\_\_\_Dated.....

Sir,

During my inspection/surprise visit on \_\_\_\_\_ to the premises of  
M/s.....located  
at..... the following irregularities were observed:

- 1)
- 2)
- 3)

I have therefore, reasons to believe that you have prima-facie contravened  
Section/Rule.....which is punishable under Section/Rule.....  
of the said Act/Rules.

The said contravention is compoundable vide provisions of Section 48 of The  
Legal Metrology Act, 2009 by the Assistant Controller Legal Metrology by  
the powers delegated to him.

However, before proceeding further, you are requested to intimate the  
undersigned your say about the contravention in writing within 10 days from  
the date of this notice along with documentary

evidence, etc. if any. Please note that if your say is not received within the stipulated period, further action will be initiated as per the provisions of the Act and Rules.

If you desire to compound the said contravention constituting an offence at Departmental level your request for compounding should reach this office within 10 days. Your request in duplicate should contain specific mention about following points:

Your acceptance of the infringement of the provisions of the Act and Rule(s),

Your declaration to the effect that the offence committed by you is the first offence under the Act and Rules(s),

Your willingness to pay for credit to the Government such sum as the compounding authority may specify by order,

You shall take due care hereafter,

Names(s) of responsible/nominated person(s) along with authorization/ resolution to that effect, including copy of nomination certificate from Controller.

If you wish to be heard in person, you may approach the compounding authority referred in this notice and seek appropriate date for hearing under intimation to this office.

Yours faithfully,

Inspector Legal Metrology

.....Centre.....District.

Ends. No. .ILM/...../Notice/20...../.....Date.....

Copy to, The Assistant Controller Legal Metrology.....Division.

## ANNEXURE XVII

### Proposal for compounding

#### Office of the Inspector

Centre.....District.....

To,

The Assistant Controller Legal Metrology,

.....Division.

Memo No..ILM/...../Comp./20.../.....Date.....

#### **Subject-** Compounding of the Offence

Respected Sir,

An offence has been registered against Shri.....of M/s.....residing at..... and whose occupation is.....for violation of the provisions of The Legal Metrology Act, 2009 and the Rules made thereunder. The accused has admitted the offence and it being his first offence within last three years, has requested to compound the case at Departmental level and submitted the consent to that effect in writing on dated ..... In his request he also agrees to pay the compounding amount which is to be imposed on him. Therefore compounding order may kindly be issued. The details of the case are as follows:

- 1) Name and address of the accused .....
- 2) Nature of establishment company .....
- \*Proprietary/Partnership
- 3) Nature of business .....

\*Retailer/ Wholesaler/ Manufacturer/Packer/Importer

- 4) Case number in the register .....
- 5) Details of seized articles .....

- 6) Sections/Rules violated .....
- 7) Punishable sections/Rules .....
- 8) Financial status of the accused .....
- 9) Remarks if any .....

(\* Strike out which is not required)

Enclosures:

- i) Seizure receipt
- ii) Panchnama if any
- iii) Consent letter
- iv) Documentary evidence showing the names and addresses of the accused.
- v) Copy of complaint along with court case number and next date of hearing if case is pending in the court.

Yours faithfully,

Inspector Legal Metrology,

-----Centre.

No/ACLM/...../Prosecution/.....20

Office of the Assistant Controller Legal Metrology,.....Division.

Date:.....

The case is compoundable and all the contents in the proposal are correct, hence being forwarded for compounding.

Assistant Controller Legal Metrology,

.....Division.

## ANNEXURE XVIII

### Compounding Order

No/A.C./\_\_\_\_\_/compounding/20.../

Office of the Assistant Controller of Legal Metrology

\_\_\_\_\_Division

Date\_\_\_\_\_

Compounding of Offence under The Legal Metrology Act, 2009 and Rules made thereunder.

- Ref:- 1) Seizure Receipt no...../panchnama dated.....
- 2) Compounding notice No.....dated.....
- 3) Consent letter to Shri/M/s.....dated.....
- 4) Proposal of Inspector,  
Centre.....District..... Dated.....

### ORDER

Whereas a compounding notice was issued to Shri\_\_\_\_\_of M/s.\_\_\_\_\_ and, whereas the said Shri \_\_\_\_\_ has agreed to compound the offence(s), punishable under section \_\_\_\_\_ and/or Rule \_\_\_\_\_ of The Legal Metrology Act, 2009/The Legal Metrology (P.C.) Rules, 2011/The Punjab Legal Metrology (Enforcement) Rules, 2013 by submitting their consent/reply in writing.

Therefore, in exercise of the powers u/s 48 (3) of The Legal Metrology Act, 2009 and I Shri \_\_\_\_\_ hereby determine the amount of compounding for the above offence of Rs.\_\_\_\_\_ (In words \_\_\_\_\_) and direct Shri.\_\_\_\_\_ of M/s.\_\_\_\_\_ to deposit the said amount to the Government, within 15 days from receipt of this order.

Only after the amount of compounding fees is realized, the compounding notice shall be deemed to be discharged.

Assistant Controller Legal Metrology..... Division

M/s. \_\_\_\_\_  
\_\_\_\_\_

Copy to,

1) Inspector \_\_\_\_\_ Centre.

He should serve the order to the person(s). The compounding amount should be collected immediately and credited under receipt head, 1475- other general economic services, (106) fees for stamping weights and measures, other fees, fine and forfeitures. He should submit his compliance report to the compounding authority immediately after receipt of the aforesaid sum along with the credited copy of the challan.

After deposition of compounding fee:

- i) the seized packaged should be returned to the concerned person immediately by taking the undertaking from the concerned to the effect that seized packages shall be rectified and conform to the provisions laid down under the Act and Rules.
- ii) the seized weight or measure should be returned to the user after taking an undertaking from the user that he will get the same verified and stamped within fifteen days.
- iii) in case of seizure of non standard weight or measure, they shall be forfeited to the Government.

In the event of nonpayment of compounding amount by the defaulter within 15 days from the receipt of this order, the case shall be launched in the court of law before the expiry of the period of limitation.

2) Copy forwarded to The Controller Legal Metrology Punjab for information.

## ANNEXURE XIX

### Compounding Case Register

Prosecution Register in the Office of the Assistant Controller Legal  
Metrology.....Division.

Year.....

Sr. No.	Name and Address of the accused	Centre/District	Business	Date of Offence	Contravention of Section/Rule	Intra-State/Inter-State	Details of seized and detained articles and its value	Seizure Receipt No. and Date	Date of Receiving Case in the office of the Assistant/Deputy Controller
1	2	3	4	5	6	7	8	9	10

Compounding order No. and Date	Compounding Amount	Signature of A.C Legal Metrology.	Compounding Amount Remitted in Government vide Challan No. and Date	Name of the Court, Case No. and Date of the Case, if Prosecution is Lodged	Remarks
11	12	13	14	15	16



## ANNEXURE XX

### ਲੀਗਲ ਮੈਟਰੇਲੋਜੀ ਪੰਜਾਬ

ਨਵੇਂ ਲੱਗੇ ਧਰਮ ਕੰਡੇ ਸਬੰਧੀ ਸੂਚਨਾਂ ਦਾ ਪ੍ਰੋਫਾਰਮਾ।

1	ਫਰਮ/ਪਾਰਟੀ ਦਾ ਪੂਰਾ ਨਾਮ ਅਤੇ ਪਤਾ ਜਿੱਥੇ ਵੇ-ਬਿਜ ਲਾਇਆ ਗਿਆ ਹੈ:	.
2	ਮਾਲਕ/ਹਿੱਸੇਦਾਰਾਂ ਦਾ ਨਾਂ ਅਤੇ ਪਤਾ:	.
3	ਉਸ ਹਿੱਸੇਦਾਰ/ਵਿਅਕਤੀ ਦਾ ਨਾਂ ਜਿਸ ਨੂੰ ਦੂਜੇ ਹਿੱਸੇਦਾਰਾਂ ਵੱਲੋਂ ਹਸਤਾਖਰ ਕਰਨ ਦਾ ਅਧਿਕਾਰ ਦਿੱਤਾ ਗਿਆ ਹੈ:	
4	ਵੇ-ਬਿਜ ਦੀ ਸਮਰੱਥਾ ਅਤੇ ਬ੍ਰਾਂਡ/ਮੋਕ, ਨਿਰਮਾਣ ਕਰਤਾ ਲਾਇਸੈਂਸ ਨੰਬਰ, ਡੀਲਰ ਲਾਇਸੈਂਸ ਨੰਬਰ ਅਤੇ ਮਾਡਲ ਅਪਰੂਵਲ ਨੰਬਰ:	
5	ਵੇ-ਬਿਜ ਕਿਹੜੇ ਰਾਜ ਤੋਂ ਸਪਲਾਈ ਕੀਤਾ ਗਿਆ ਹੈ ਸਪਲਾਈ ਕਰਨ ਵਾਲੀ ਫਰਮ ਦਾ ਪੂਰਾ ਨਾਮ, ਪਤਾ ਅਤੇ ਡੀਲਰ ਲਾਇਸੈਂਸ ਨੰਬਰ:	
6	ਵੇ-ਬਿਜ ਦਾ ਖਰੀਦਬਿੱਲ ਨੰਬਰ ਅਤੇ ਮਿਤੀ:	
7	ਵੇ-ਬਿਜ ਲਗਾਉਣ ਵਾਲੀ ਪਾਰਟੀ ਦਾ ਨਾਮ ਅਤੇ ਪਤਾ ਤੇ ਉਸ ਦਾ ਪੰਜਾਬ ਰਾਜ ਵੱਲੋਂ ਜਾਰੀ ਕੀਤਾ ਲਾਇਸੈਂਸ ਨੰਬਰ:	
8	ਫਰਮ ਪਾਸ ਰੂਲਾਂ ਅਨੁਸਾਰ ਵੇ-ਬਿਜ ਨੂੰ ਚੈੱਕ ਕਰਨ ਲਈ ਵੇ-ਬਿਜ ਦੀ ਸਾਈਟ ਤੇ ਰੱਖੇ ਜਾਣ ਵਾਲੇ, ਪੜਤਾਲ ਕੀਤੇ, ਘੱਟੋ-ਘੱਟ 1000 ਕਿਲੋ-ਗ੍ਰਾਮ ਵਜਨ ਦੇ ਬਰਾਬਰ ਵੱਟਿਆਂ ਦਾ ਖਰੀਦ ਬਿੱਲ ਨੰਬਰ ਅਤੇ ਮਿਤੀ:	

ਉਪਰੋਕਤ ਦਰਸਾਈ ਗਈ ਸੂਚਨਾ ਸਹੀ ਹੈ ਅਤੇ ਇਸ ਸਬੰਧੀ ਲੋੜੀਂਦੇ ਤਸਦੀਕ ਸੂਦਾ ਦਸਤਾਵੇਜ਼ ਹੇਠ ਲਿਖੀ ਚੈੱਕ ਲਿਸਟ ਅਨੁਸਾਰ ਨਾਲ ਨੱਥੀ ਹਨ। ਹਸਤਾਖਰ

(ਧਰਮ ਕੰਡੇ ਦੇ ਮਾਲਕ ਜਾਂ ਹਿੱਸੇਦਾਰ)

### ਚੈਕ ਲਿਸਟ

ਲੜੀ ਨੰ.	ਨੱਥੀ ਦਸਤਾਵੇਜ਼	ਪੰਨਾ ਨੰ.	ਜਾਰੀ ਕਰਤਾ ਦਾ ਨਾਂ	ਵਿਸ਼ੇਸ਼ ਕਥਨ
1	ਹਿੱਸੇਦਾਰੀ ਦੀ ਡੀਡ			
2	ਮੁੱਖਤਿਆਰਨਾਮਾ			
3	ਸਾਈਟ ਦੀ ਮਾਲਕੀ ਸਬੰਧੀ ਰਜਿਸਟਰੀ ਡੀਡ/ਲੀਜ ਡੀਡ/ਹਲਫਨਾਮਾ			
4	ਨਿਰਮਾਣਕਰਤਾ ਲਾਇਸੰਸ ਅਤੇ ਡੀਲਰ ਲਾਇਸੰਸ ਦੀ ਨਕਲ			
5	ਵੇ-ਬ੍ਰਿਜ ਦੀ ਖਰੀਦ ਦਾ ਬਿੱਲ ਨੰਬਰ ਅਤੇ ਮਿਤੀ			
6	ਅਧਾਰ ਕਾਰਡ (ਹੋਰ ਸਨਾਖਤੀ ਸਬੂਤ)			

ਪਿਠਾਂਕਣ ਨੰ.

ਮਿਤੀ:

ਉਪਰੋਕਤ ਚੈਕ ਲਿਸਟ ਅਨੁਸਾਰ ਲਗਾਏ ਗਏ ਦਸਤਾਵੇਜ਼ਾਂ ਨੂੰ ਘੋਖਿਆ ਗਿਆ ਅਤੇ ਸਹੀ ਪਾਇਆ ਗਿਆ।

ਮੈ/ਸ \_\_\_\_\_ ਦੀ ਪ੍ਰਤੀ-ਬੇਨਤੀ ਸਮੇਤ ਦਸਤਾਵੇਜ਼ ਮਾਨਯੋਗ ਕੰਟਰੋਲਰ, ਲੀਗਲ ਮੈਟਰੋਲੋਜੀ, ਪੰਜਾਬ, ਮੋਹਾਲੀ ਨੂੰ ਮੌਜੂਦੀ ਦੇਣ ਲਈ ਸ਼ਿਫਾਰਸ਼ ਸਹਿਤ ਭੇਜੀ ਜਾਂਦੀ ਹੈ।

ਇੰਸਪੈਕਟਰ,

ਲੀਗਲ ਮੈਟਰੋਲੋਜੀ,

\_\_\_\_\_

## ਸਵੈ-ਘੋਸ਼ਣਾ ਪੱਤਰ

ਮੈਂ \_\_\_\_\_ ਪੱਤਰ ਸ੍ਰੀ \_\_\_\_\_ ਵਾਸੀ  
\_\_\_\_\_ ਦਾ ਰਹਿਣ ਵਾਲਾ ਹਾਂ ਅਤੇ ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਸਵੈ-ਘੋਸ਼ਣਾ  
ਕਰਦਾ ਹਾਂ:

1. ਕਿ ਮੈਂ ਮੈਸ: \_\_\_\_\_ ਡੀਲਰ) ਦਾ  
ਮਾਲਿਕ/ਪਾਰਟਨਰ/ਅਥੋਰਾਈਜ਼ਡ ਸਿਗਨੇਟਰੀ ਹਾਂ।
2. ਕਿ ਉਕਤ ਪੰਪ ਨੂੰ ਚਲਾਉਣ ਵਿਚ ਕਿਸੀ ਕਿਸਮ ਦੀ ਕੋਈ ਕਾਨੂੰਨੀ ਅੜਚਨ ਨਹੀਂ ਹੈ।
3. ਕਿ ਮੈਂ ਲੀਗਲ ਮੈਟਰੋਲੋਜੀ ਐਕਟ, 2009 ਅਤੇ ਉਸਦੇ ਅਧੀਨ ਬਣੇ ਰੂਲਾਂ ਦੀ ਪੂਰੀ ਤਰਾਂ  
ਪਾਲਣਾ ਕਰਾਂਗਾ।

ਹਸਤਾਖਰ  
(ਘੋਸ਼ਣਾ ਕਰਤਾ)

ਤਸਦੀਕ

ਉਪਰੋਕਤ ਦਿੱਤਾ ਸਵੈ-ਘੋਸ਼ਣਾ ਪੱਤਰ ਬਿਲਕੁਲ ਸਹੀ ਤੇ ਦਰੁਸਤ ਹੈ ਇਸ ਘੋਸ਼ਣਾ ਪੱਤਰ ਵਿਚ ਕੋਈ  
ਗਲਤ ਸੂਚਨਾਂ ਨਹੀਂ ਲਿਖੀ ਅਤੇ ਨਾ ਇਸਤੋਂ ਇਲਾਵਾ ਹੋਰ ਕੁਝ ਛੁਪਾਇਆ ਹੈ।

ਮਿਤੀ: \_\_\_\_\_

ਹਸਤਾਖਰ  
(ਘੋਸ਼ਣਾ ਕਰਤਾ)

ਰਾਜ ਸਰਕਾਰ ਜਾਂ ਇਸ ਦੇ ਅਧੀਨ ਆਉਂਦੀਆਂ ਸਥਾਨਿਕ ਸੰਸਥਾਵਾਂ/ਖੁਦ ਮੁਖਤਾਰ ਸੰਸਥਾਵਾਂ ਤੋਂ

ਸੇਵਾ ਲਈ ਸਵੈ-ਘੋਸ਼ਣਾ

ਮੈਂ \_\_\_\_\_ ਪਤੀ/ਪਤਨੀਸ੍ਰੀ \_\_\_\_\_ ਉਮਰ \_\_\_\_\_ ਵਾਸੀ \_\_\_\_\_

\_\_\_\_\_ ਜਿਲ੍ਹਾ \_\_\_\_\_।

ਘੋਸ਼ਣਾ ਕਰਦਾ ਹਾਂ ਕਿ ਉਪਰੋਕਤ ਅਤੇ ਨੱਥੀ ਦਸਤਾਵੇਜ਼ਾਂ ਵਿੱਚ ਦਿੱਤੀ ਸੂਚਨਾ ਮੇਰੀ ਜਾਣਕਾਰੀ ਅਤੇ ਵਿਸ਼ਵਾਸ ਅਨੁਸਾਰ ਦਰੁਸਤ ਹੈ ਅਤੇ ਇਸ ਵਿੱਚ ਕੁਝ ਵੀ ਛੁਪਾਇਆ ਨਹੀਂ ਗਿਆ। ਮੈਂ ਇਸ ਗੱਲ ਤੇ ਜਾਣੂ ਹਾਂ ਕਿ ਜੇਕਰ ਮੇਰੇ ਦੁਆਰਾ ਦਿੱਤੀ ਗਈ ਸੂਚਨਾ ਝੂਠੀ ਸਾਬਤ ਹੁੰਦੀ ਹੈ ਤਾਂ ਮੈਂ ਕਾਨੂੰਨ ਅਧੀਨ ਸਜਾ ਦਾ ਭਾਗੀਦਾਰ ਹੋਵਾਂਗਾ ਅਤੇ ਅਜਿਹੀ ਝੂਠੀ ਸੂਚਨਾ ਤੇ ਅਧਾਰ 'ਤੇ ਮੇਰੇ ਵਿਰੁੱਧ ਕਾਨੂੰਨੀ ਕਾਰਵਾਈ ਕੀਤੀ ਜਾਵੇਗੀ।

ਮਿਤੀ: \_\_\_\_\_

ਹਸਤਾਖਰ

(ਘੋਸ਼ਣਾ ਕਰਤਾ)

## ANNEXURE XXI

ਲੀਗਲ ਮੈਟਰੇਲੋਜੀ ਪੰਜਾਬ

ਸੂਚਨਾਂ ਪ੍ਰੋਫਾਰਮਾ

1	ਫਰਮ/ਪਾਰਟੀ ਦਾ ਪੂਰਾ ਨਾਮ ਅਤੇ ਪਤਾ। Name of firm with complete address.	.
2	ਸਾਈਟ ਦਾ ਪੂਰਾ ਨਾਮ ਅਤੇ ਪਤਾ ਜਿੱਥੇ ਡਿਸਪੈਨਸਿੰਗ ਪੰਪ ਲਗਾਇਆ ਜਾਣਾ ਹੈ। Name of site with full name and address where the dispensing pump will be installed	
3	ਫਰਮ ਦੇ ਮਾਲਕ/ਪ੍ਰੋਪਰਾਈਟਰ ਜਾਂ ਹਿੱਸੇਦਾਰ ਦਾ ਨਾਮ Name of owner/partner with complete address.	
4	ਉਸ ਹਿੱਸੇਦਾਰ ਦਾ ਨਾਮ ਜਿਸ ਨੂੰ ਹਸਤਾਖਰ ਕਰਨ ਸਬੰਧੀ ਅਥਾਰਟੀ ਲੈਟਰ/ਪਾਵਰ ਆਫ ਆਟਾਰਨੀ ਦਿੱਤੀ ਗਈ ਹੈ। Name of authorized signatory with power of attorney	
5	ਡਿਸਪੈਨਸਿੰਗ ਪੰਪਾਂ ਦੀ ਗਿਣਤੀ Number of dispensing pumps	
6	ਅਲਾਟਮੈਂਟ ਕਰਨ ਵਾਲੀ ਤੇਲ ਕੰਪਨੀ ਦਾ ਨਾਮ Name of oil company which issued the allotment	

ਹਸਤਾਖਰ /Signature

ਮੋਹਰ /stamp

ਚੈਕ ਲਿਸਟ

ਲੜੀ ਨੰ.	ਨੱਥੀ ਦਸਤਾਵੇਜ਼	ਪੰਨਾ ਨੰ.	ਜਾਰੀ ਕਰਤਾ ਦਾ ਨਾਮ	ਨੰਬਰ ਅਤੇ ਮਿਤੀ
1	ਅਲਾਟਮੈਂਟ ਲੈਟਰ ਦੀ ਨਕਲ Copy of allotment letter(LOI)			
2	ਨੋ ਅਬਜੈਕਸ਼ਨ ਸਰਟੀਫਿਕੇਟ Copy of NOC by Distt. Magistrate	---		
3	ਐਕਸਪਲੋਸਿਵ ਸਰਟੀਫਿਕੇਟ Copy of explosive certificate			
4	ਜ਼ਮੀਨ ਸਬੰਧੀ ਕਾਗਜ਼ਾਤ(ਰਜਿਸਟਰੀ ਡੀਡ/ਪਟੇ ਸਬੰਧੀ ਕਾਗਜ਼ਾਤ) Copy of Land documents			
5	ਅਥਾਰਟੀ ਲੈਟਰ ਜਾਂ ਪਾਵਰ ਆਫ ਅਟਾਰਨੀ Copy of authority letter or power of attorney			--
6	ਕੰਪਨੀ ਵੱਲੋਂ ਲਾਏ ਗਏ ਡਿਸਪੈਨਸਿੰਗ ਪੰਪਾਂ ਨੂੰ ਸਟੈਂਪਿੰਗ ਕਰਨ ਸਬੰਧੀ ਬਿਨੈ-ਪੱਤਰ। Request letter for Stamping from Oil Company			
7	ਹਲਫੀਆ ਬਿਆਨ (ਵੱਲੋਂ) ਮਾਲਕ/ਪ੍ਰੋਪਰਾਈਟਰ/ਪਾਵਰ ਆਫ ਅਟਾਰਨੀ ਵਾਲੇ ਵਿਅਕਤੀ । Self declaration by Prop./Partner/authorized signatory			
8	ਪੰਪ ਸਾਈਟ ਦਾ ਲੇ-ਆਉਟ/Layout of pump site			
9	ਅਧਾਰ ਕਾਰਡ/ਜਾਂ ਹੋਰ ਸ਼ਨਾਖਤੀ ਦਸਤਾਵੇਜ਼ Copy of Aadhar card/ID proof			

ਨੋਟ: ਉਪਰੋਕਤ ਸਾਰੇ ਦਰਸਾਏ ਗਏ ਦਸਤਾਵੇਜ਼ ਤਸਦੀਕਸ਼ੁਦਾ ਭੇਜੇ ਜਾਣ।

ਨੰ.\_\_\_\_\_ ਮਿਤੀ:\_\_\_\_\_

ਉਪਰੋਕਤਚੈੱਕ ਲਿਸਟ ਅਨੁਸਾਰ (ਟਿੱਕ ਕਰਦੇ ਹੋਏ) ਮੈ/ਸ.\_\_\_\_\_

ਜਿਲ੍ਹਾ\_\_\_\_\_ ਦੀ ਪ੍ਰਤੀ-ਬੇਨਤੀ ਸਮੇਤ ਦਸਤਾਵੇਜ਼ ਮਾਨਯੋਗ

ਕੰਟਰੋਲਰ,ਲੀਗਲ ਮੈਟਰੋਲੋਜੀ, ਪੰਜਾਬ, ਮੋਹਾਲੀ ਨੂੰ ਮੰਜੂਰੀ ਦੇਣ ਲਈ ਸਿਫਾਰਸ਼ ਸਹਿਤ ਭੇਜੀ

ਜਾਂਦੀ ਹੈ।

ਇੰਸਪੈਕਟਰ,

ਲੀਗਲ ਮੈਟਰੋਲੋਜੀ,\_\_\_\_\_।

## **ANNEXURE-XXII**

### **TENTH SCHEDULE**

#### **APPLICATION FORM REGISTRATION OF EXPORTER/IMPORTER OF WEIGHTS AND MEASURES**

**( See rule 15 )**

To

The Director of Legal Metrology,  
Government of India,  
New Delhi.

Sir,

I/We hereby apply for registration of my/our\* name(s) as exporter and/or as importer of weights and /or measures.

Particulars with regard to items specified in the table below are given against each such item. The registration fee of Rs..... has been paid in the treasury at .....vide Chalan No..... dated.....enclosed.

1. Name and full address:
2. Whether individual/undivided Hindu family/registered firm:
3. Income-tax registration No. ( if any ) :
4. Date of registration as manufacturer/dealer; Registration No. and name of the registering authority:
5. Date and No. of the license to carry on the business of weights and measures; the name of the authority by whom the license was issued/ renewed:
  - (a) buying and selling , or
  - (b) manufacturing.
6. Item(s) of weights and measures in relation to which the applicant has been registered as manufacturer/ or dealer:



7. Items of weights and measures for which application is being made for registration as importer.
8. Items if any exported /imported during the two years immediately preceding the year in which the application is made:
9. Remarks:

.....

Signature

\*Delete which is not applicable.

## SCHEDULE – I

[See rule 5]

### Form LM-4

**Register to be maintained by the manufacturers of weights and measures**

- 1- Name and address of the manufacturer.....
- 2- Description of the weight or measure.....
- 3-(i) No. of the manufacturing license.....
- (ii) Date of which the license was issued.....
- (iii) Period of validity of the license.....
- 4- Particulars of order, if any, suspending or revoking.....  
the license.

S. No.	Month	Unsold stock from previous month	Quantity manufac- tured during the month	Total 3+4	Sold within the state	
					No. of item Sold	Dispatch voucher No. & date
1	2	3	4	5	6	7

Sold outside the state	Dispatch voucher No. and date	Total sold (6+9)	Balance (5+11)	Remarks
------------------------	-------------------------------	------------------	----------------	---------

Name of the state	No. of Items Sold	10	11	12	13
-------------------	-------------------	----	----	----	----

All the information furnished above is true to the best of my/our knowledge.

**SCHEDULE II**

[See rule 5)

**FORM LR-4**

**Register to be maintained by the repairer in respect of weights, measures**

Name and address of the repairer.....License No.....

Date of Licensing.....

S. No.	Date	Name of the user from whom received	Items and their Nos. booked for repair	Receipt No. and date of issue to the user
1	2	3	4	5

Amount of repairing charges	Amount of verification fee	Total amount charged	Date of return to the user	Remarks
6	7	8	9	10

All the information furnished above is true to the best of my/our knowledge.

## SCHEDULE – III

[See rule 5]

### Form LD-4

#### Register to be maintained by dealer in weights, measures

- 1- Name and address of the dealer.....
- 2- Description of the weight or measure.....
- 3-(i) Dealer license No.....
- (ii) Date on which the license was issued.....
- (iii) Period of validity of license.....
- 4- Particulars of order, if any suspending or.....Revoking the license.
- 5- Category of weight or measure..... (Category A or B)

Sr. No.	Month	Unsold stock from the previous month	Brought from within the state during the month	Brought from outside the state during the month	Total (3+4+5)
1	2	3	4	5	6

<u>Sold within the state</u>		<u>Sold outside the state</u>		Name of the state	Total sold (7+9)	Balance (6-12)	Remarks
No. of items sold	Dispatch voucher no. and date	No. of items sold	Dispatch voucher no. and date				
7	8	9	10	11	12	13	14

All the information furnished above is true to the best of my/our knowledge

## SCHEDULE – IV

[ See rule 3 (1)]

### Form LM – 1

**[Application form for license as manufacturer of weights and measures  
under the Legal Metrology Act, 2009]**

To  
The Controller,  
Legal Metrology, Punjab,

---

	To be filled by the Applicant	Comments of the Inspection officer
(1)	(2)	(3)

---

1. Name of the manufacturing concerning for  
which license is desired. ....
2. Complete address of the concern.  
Whether premises are owned/rented/ taken on lease/  
leave license, duly supported by documents. ....
3. Date of Establishment of workshop/factory. ....
4. Name (s) and address (s) along with their  
father's/husband's name of proprietor(s)  
and/or Partners and Managing Director(s)  
in the case of Limited company .....
5. The date and current registration number  
of factory/shop/establishment/Municipal  
Trade license. ....
6. Nature of manufacturing activities at present. ....
7. The type of weights and measures proposed to be manufactured viz:
  - (i) Weights
  - (ii) Measures
  - (iii) Weighing Instruments
  - (iv) Measuring Instruments with details in each case.

8. The number of persons employed/ proposed to be employed
  - (i) Skilled
  - (ii) Semi-skilled
  - (iii) Unskilled
  - (iv) Specialist trained in the line .....
9. The monogram or trade mark intended to be Imprinted on weights and measures to be manufactured. ....
10. Details of machinery, tools accessories, owned and used for manufacturing weights measures etc. ....
11. Details of foundry/workshop facilities arranged. Whether ownership, long term lease etc. ....
12. Facilities of steel casting and hardness testing of Vital parts etc. or other means. ....
13. Availability of electric energy. ....
14. Details of loan received from Government or financial Institution. If so, give details. ....
15. Name of bankers, if any. ....
16. VAT/Sales Tax Registration Number/CST Number/ Professional Tax registration Number/IT Number. ....
17. Have you applied previously for a manufacturer's license? If so, when and with what results? .....
18. (a) Whether the item(s) proposed to be manufactured will be sold within the State or out side the state or both. ....
- (b) Details of Model Approval received from Government of India;
- (c) When can you produce for inspection samples of your products for which license is desired.

**To be certified by the applicant (s)**

Certified that I/We have read the Legal Metrology Act, 2009 and the Punjab Legal Metrology (Enforcement) Rules, 2013 and agreed to abide by the same and also the administrative orders and instructions issued or to be issued there under.

I/We agree to deposit the Scheduled license fees with Government as soon as required to do so by the Licensing Authority.

All the information furnished above is true to the best of my/our knowledge.

Place: .....

Date: Signature and Designation

**To be filled in by Departmental Officer of the State Government**

Date of Receipt of Application:

Serial Number of application:

Date of inspection:

Recommendation of Inspection Officer;

Place: .....

Date: Signature and Designation of Inspecting Officer

**Final orders of Licensing Authority**

License granted / refused :

License Number :

Valid till :

Place: .....

Date: Signature and Designation

**SCHEDULE – V**

**[See rule 3 (1)]**

**Form LR – 1**

**[Application for license as repairers of weights and measures under the  
Legal Metrology Act, 2009]**

To,  
The Controller,  
Legal Metrology, Punjab,

	To be filled by the Applicant	Comments of the Inspection officer
(1)	(2)	(3)
1. Name of the concern seeking the license.		.....
2. Complete address of the workshop.		.....
3. (a) Whether premises are owned/rented/taken, on lease duly supported by documents. (b) Date of establishment.		.....
4. Name (s) and address (s) along with their Father's/husband's name of proprietor(s) and/or Partners and Managing Director(s) in the case of Limited company.		.....
5. Number and date of shop/establishment/ current Municipal Trade License.		.....
6. Professional Tax/IT Tax registration Number etc. if any.		.....
7. The type of weights and measures proposed to repaired.		.....
8. Area in which you wish to operate.		.....
9. Previous experience in the line.		.....



10. Number of skilled staff employed or proposed to be employed.
  - (i) Skilled
  - (ii) Semi-skilled
  - (iii) Unskilled
  - (iv) Employees trained in the line .....
11. Details of machinery/tools/accessories available . .....
12. Availability of electric energy. ....
13. Have you sufficient stock of loan/test weights  
etc.? Give details. ....
14. Have you applied previously for a repairer's  
license? If so, When and with what results? .....

**To be certified by the applicant(s)**

Certified that I/We have read the Legal Metrology Act, 2009 and the Punjab Legal Metrology (Enforcement) Rules, 2013 and agree to abide by the same and also the administrative orders and instructions issued or to be issued there under.

I/We agree to deposit the Scheduled license fees with Government as soon as required to do so by the Licensing Authority.

All the information furnished above is true to the best of my/our knowledge.

Place:

Date: Signature and Designation

**To be filled in by Departmental Officer of the State Government**

Date of Receipt of Application:

Serial Number of application:

Date of inspection:

Recommendation of Inspection Officer;

Place : .....

Date: Signature and Designation of Inspecting Office

**Final orders of Licensing Authority**

License granted / refused :

License Number :

Valid till :

Date: Signature and Designation

**SCHEDULE – VI**

**[See rule 3 (1) Form**

**LD – 1**

**[Application Form for license as Dealers in Weights and Measures under the Legal Metrology Act, 2009]**

To,  
The Controller,  
Legal Metrology, Punjab,

(1)	To be filled by the Applicant (2)	Comments of the Inspection officer (3)
1.	Name of the establishment/shop/person seeking the license.	.....
2.	Complete address of the establishment etc.	.....
3.	Date of establishment.	.....
4.	Name (s) and address (s) of proprietors and/or partners and Managing Director (s) in the case of Limited company.	.....
5.	Number and date of Registration Number of Current shop/establishment/Municipal Trade license.	.....
6.	Categories of weights and measures sold/proposed to be sold at present.	.....
7.	Registration Number of VAT/CST/Sales Tax/ Professional Tax/Income Tax.	.....
8.	Do you intend to import weights, etc. from places outside the State/Country? If so indicate sources of supply. (Give details of manufacturer's trade mark/ monogram and his license number) and provide. (a) Registration of Importer of Weights and Measures, if any.	.....

- (b) Approval of model imported into India by Central Government.
9. Have you applied previously for a dealer's license, either in this State or elsewhere? If so give details? .....

**To be certified by the applicant(s)**

Certified that I/We have read the Legal Metrology Act, 2009 and the Punjab Legal Metrology (Enforcement) Rules, 2013 and agree to abide by the same and also the administrative orders and instructions issued or to be issued there under.

I/We agree to deposit the Scheduled license fees with Government as soon as required to do so by the Licensing Authority.

All the information furnished above is true to the best of my/our knowledge.

Place:

Date:

Signature and Designation

**To be filled in by Departmental Officer of the State Government**

Date of Receipt of Application:

Serial Number of application:

Date of inspection:

Recommendation of Inspection Officer;

Place:

Date:

Signature and Designation of Inspecting Officer

**Final orders of Licensing Authority**

License granted / refused :

License Number :

Valid till :

Place:

Date:

Signature and Designation

**SCHEDULE – VII**

**[See rule 3 (2)]**

**Licensing Forms**

**Form LM-3**

**Government of Punjab**

**OFFICE OF THE CONTROLLER LEGAL METROLOGY, PUNJAB,**

License to manufacture, weights, measures, weighing or measuring instruments.

License No..... Year.....

- 1- The Controller of Legal metrology hereby grants to .....  
(Name and address of party or parties) a license to manufacture the following:-  
(Include details of the weights, measures, weighing instruments or measuring instruments that are licensed to be manufactured by the party).
- 2- The license is valid for the party named above in respect of his work-shop located at.....
- 3- This license is valid from ..... to .....
- 4- The manufacturer shall comply with the conditions noted below. If he fails to comply with anyone of these, his license is liable to be cancelled.
- 5- The trade mark monogram being used by the manufacturer is as under.  
.....

(Signature)

Controller,  
Legal Metrology, Punjab

(Seal)

Date.....

Place.....

Note: In the case of firm, its name with the names of all names of all persons having interest in the business should be given in paragraph 1.

**CONDITIONS OF LICENSE**

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;

- (b) not encourage or countenance any infringement of the provisions of the Act, or the Rules amended from time to time.
  - (c) Exhibit this license in some conspicuous part of the premises to which it relates;
  - (d) Comply with any general or special directions that may be given by the Controller of legal metrology;
  - (e) Surrender the license in the event of closure of business and / or cancellation of License;
  - (f) Present the weights, measures, weighing or measuring instruments as the case may be manufactured and meant for use within the State, to the Inspector for verification and stamping before sale;
  - (g) Submit the application for renewal of this license as required under the rules within thirty days of expiry of the validity of the license.
2. Every condition prescribed after the issue of this license shall if notified in the Official Gazette, be binding on the persons to whom the license has been granted.

**Renewal entries**

Current No..... Date..... Renewed for Seal Controller of Legal Metrology Punjab.	Current No..... Date..... Renewed for Seal Controller of Legal Metrology Punjab.
Current No..... Date..... Renewed for Seal Controller of Legal Metrology Punjab..	Current No..... Date..... Renewed for Seal Controller of Legal Metrology Punjab..
Current No..... Date..... Renewed for Seal Controller of Legal Metrology Punjab..	Current No..... Date..... Renewed for Seal Controller of Legal Metrology Punjab.

**SCHEDULE – VIII**  
**[See rule 3 (2)]**  
**Licensing Forms**  
**Form LR-3**  
**Government of Punjab**

**OFFICE OF THE CONTROLLER OF LEGAL METROLOGY, PUNJAB**  
**LICENSE TO REPAIR WEIGHTS, MEASURES, WEIGHING AND**  
**MEASURING INSTRUMENTS**

License No..... Year.....

- 1- The Controller of legal metrology hereby grants to.....  
(Name and address of Party or Parties) a license to repair the following:- (Include details of the types of weights, measures, weighing instruments or measuring instruments that are licensed to be repaired by the party)
- 2- The license is valid for the party named above in respect of his workshop located at.....
- 3- This license is valid from ..... To .....
- 4- The repairer shall comply with the conditions noted below. If he fails to comply with any one, his license is liable to be cancelled.
- 5- The party is licensed to repair weights, measures, weighing and measuring instruments in the areas mentioned below –

(Signature)  
Controller,  
Legal Metrology, Punjab.  
(Seal)

Date:

Place:

Note: In the case of firm, its name with the names of all names of all persons having interest in the business should be given in paragraph (1).

**Conditions of License**

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;
  - (b) Not encourage or countenance any infringement of the provisions of the Act, or the Rules amended from time to time.
  - (c) Exhibit this license in some conspicuous part of the premises to which it relates;
  - (d) Comply with any general or special directions that may be given by the Controller of legal metrology;

- (e) Surrender the license in the event of closure of business and / or cancellation of license;
  - (f) (i) Present the weights, measures, weighing or measuring instruments as the case may be duly repaired to the Inspector for under taking verification and stamping as specified in rule 14(1), before delivery to the user.
  - (ii) In the case of weights, measures weighing or measuring instruments, if they are serviced/repared before the date on which the verification falls due and where, in the process and the verification stamp of the Inspector is defaced, removed or broken, they shall be presented duly repaired to the Inspector for re-verification and stamping before delivery to the user.
  - (g) Submit the application for renewal of this license as required under the rules within thirty days of expiry of the validity of the license.
2. Every condition prescribed after the issue of this license shall if notified in the Official Gazette, be binding on the persons to whom the license has been granted.

**Renewal entries**

Current No..... Date..... Renewed for Seal Controller of Legal Metrology Punjab.	Current No..... Date..... Renewed for Seal Controller of Legal Metrology Punjab.
Current No..... Date..... Renewed for Seal Controller of Legal Metrology Punjab.	Current No..... Date..... Renewed for Seal Controller of Legal Metrology Punjab.

**SCHEDULE – IX**

[See rule 3 (2)]

**Licensing Forms**

**Form - LD-3**

**Government of Punjab**

**Office of the Controller of Legal Metrology, Punjab**

**License to a dealer in weights, measures, weighing instruments or measuring instruments**

License No..... Year.....

- 1- The Controller of legal metrology hereby grants to.....  
(Name and address of Party or Parties) a license to deal in the following (Indicate details of the types weights, measures, weights, or measuring instruments that are licensed to be dealt by the party)
- 2- The license is valid for the party named above in respect of his premises located at.....
- 3- This license is valid from ..... to .....
- 4- The dealer shall comply with the conditions noted below. If he fails to comply with any one of those his license is liable to be cancelled.

(Signature)

Controller of legal Metrology, Punjab

(Seal)

Date.....

Place.....

Note: In the case of firm, its name with the names of all names of all persons having interest in the business should be given in paragraph (1).

**CONDITIONS OF LICENSE**

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;
  - (b) Not encourage or countenance any infringement of the provisions of the Act, or the Rules for the time being in force;



- (c) Exhibit this license in some conspicuous part of the premises to which it relates;
  - (d) Comply with any general or special directions that may be given by the Controller of legal metrology;
  - (e) Surrender the license in the event of closure of business and / or cancellation of License;
  - (f) Submit the application for renewal of this license as required under the rules within thirty days of expiry of the validity of the license.
  - (g) Not sell or offer, expose or possess for sale any non-standard weight or measure.
2. Every condition prescribed after the issue of this license shall, if notified in the Official Gazette, be binding on the persons to whom the license has been granted.

**Renewal entries**

Current No..... Date..... Renewed for Seal Controller of Legal Metrology Punjab.	Current No..... Date..... Renewed for Seal Controller of Legal Metrology Punjab..
Current No..... Date..... Renewed for Seal Controller of Legal Metrology Punjab..	Current No..... Date..... Renewed for Seal Controller of Legal Metrology Punjab..
Current No..... Date..... Renewed for Seal Controller of Legal Metrology Punjab..	Current No..... Date..... Renewed for Seal Controller of Legal Metrology Punjab..

**SCHEDULE- X**

**[See rule 3 (3) (4) ]**

**Government of Punjab**

**Office of the Controller of Legal Metrology, Punjab,**

**License and renewal fees for manufacturers, repairers of dealers of weights and measures**

1. Issue of license / renewal of license to:
  - (i) Manufacturers Rs. 5000/- per year
  - (ii) Repairers Rs. 2000/- per year
  - (iii) Dealers Rs. 1000/- per year
2. Alteration of license: Rs. 500/-
3. Issue of duplicate license: Rs. 100/-

**SCHEDULE – XI**

**[See rule 3 (4)]**

**Form LM – 2**

**[Application for renewal of License as Manufacturer of Weights and Measures under the Legal Metrology Act, 2009]**

To,

The Controller,  
Legal Metrology, Punjab,

---

(1)	To be filled by the Applicant	Comments of the Inspection officer
(1)	(2)	(3)
1. Name and complete address of the manufacturing concern for which renewal of license is desired.		.....
2. Manufacturing License No.		.....
3. Name (s) and address (s) along with their father's/ husband's name of proprietor(s) and/or Partners and Managing Director(s) in the case of Limited company.		.....
4. (a) Type of weights and measures which are manufactured as per license granted. (b) Do you propose any change?		..... .....
5. The monogram or trade marks used on weights and measures manufactured by you.		.....
6. Details of workshop facilities available.		.....
7. Details of production and sales in the last 5 years.		.....
8. Number and date of shop/establishment Registration Number.		.....

Registration Number of VAT/Sales Tax/  
CST/ Professional Tax/Income Tax. ....

**To be certified by the applicant(s)**

Certified that I/We have read the Legal Metrology Act, 2009 and the Punjab Legal Metrology (Enforcement) Rules, 2013 and agree to abide by the same and also the administrative orders and instructions issued or to be issued there under.

I/We agree to deposited the Scheduled license fees of Rs..... (Rupees ..... ) to the Sub-Treasury/Bank on ..... and the original challan is enclosed.

All the information furnished above is true to the best of my/our knowledge.

Place:

Date:

Signature and Designation

**SCHEDULE – XII**

**[See rule 3 (4)]**

**Form LR – 2**

**[Application for renewal of License as repairer of weights and measures under the Legal Metrology Act, 2009]**

To,  
The Controller,  
Legal Metrology, Punjab,

---

	To be filled by the Applicant	Comments of the Inspection officer
(1)	(2)	(3)
1. Name and complete address of the repairing concern for which renewal of license is desired.		.....
2. Repairer's License Number		.....
3. Name (s) and address (s) along with their father's/ husband's name of proprietor(s) and/or Partners and Managing Director(s) in the case of Limited company		.....
4. Registration Number and date of current shop/establishment / Municipal Trade License.		.....
5. Registration Number of VAT/Sales Tax/CST/ Professional Tax/Income Tax		.....
6. (a) The type of weights and measures repaired as per license granted.		.....
(b) Do you propose any change.		.....
7. Area in which you are operating		.....
8. Have you sufficient stock of loan/test weights, etc.?		.....

Please give details with particular of

stamping.

.....

**To be certified by the applicant(s)**

Certified that I/We have read the Legal Metrology Act, 2009 and the Punjab Legal Metrology (Enforcement) Rules, 2013 and agree to abide by the same and also the administrative orders and instructions issued or to be issued there under.

I/We agree to deposited the Scheduled license fees of Rs..... (Rupees ..... ) to the Sub-Treasury/Bank on ..... and the original challan is enclosed.

All the information furnished above is true to the best of my/our knowledge.

Place:

Date:

Signature and Designation

**SCHEDULE – XIII**

**[See rule 3 (4)]**

**Form LD – 2**

**[Application for renewal of License as Dealer in weights and measures under the Legal Metrology Act, 2009]**

To,

The Controller,  
Legal Metrology, Punjab

---

(1)	To be filled by the Applicant (2)	Comments of the Inspection officer (3)
1.	Name of the establishment/shop/person seeking the renewal of license.	.....
2.	Dealer's License Number	.....
3.	Date of establishment.	.....
4.	Name (s) and address (s) along with their father's/ husband's name of proprietor(s) and/or Partners and Managing Director(s) in the case of Limited company.	.....
5.	Registration Number and date of shop/ establishment/ current Municipal Trade License.	.....
6.	Categories of weights and measures sold at present.	.....
7.	Registration Number of VAT/CST/Sales Tax/ Professional Tax/Income Tax.	.....
8.	Are you intending to import weights and measures etc. from places outside the State/Country? If so, indicate sources of supply from the State(s)/Country (s), (Give details of manufacturer's trade mark/ monogram and his license number.)	.....

**To be certified by the applicant(s)**

Certified that I/We have read the Legal Metrology Act, 2009 and the Punjab Legal Metrology (Enforcement) Rules, 2013 and agree to abide by the same and also the administrative orders and instructions issued or to be issued there under.

I/We agree to deposited the Scheduled license fees of Rs.....  
(Rupees ..... ) to the Sub-Treasury/Bank on ..... and the original challan is enclosed.

All the information furnished above is true to the best of my/our knowledge.

Place:

Date:

Signature and Designation



**SCHEDULE – XIV**

[See rule 3 (5)]

**Government of Punjab**

**Office of the Controller of Legal Metrology, Punjab,**

**Register of licensed manufacturers/Repairers/Dealers of weights, measures, weighing / measuring instruments**

Office of .....

---

License Number	Date of issue / renewal	Name and complete address of the manufacture/ repairer / dealer	Place where work shop/ factory is situated	Articles to be manufactured/ repaired/ sold
1	2	3	4	5

---

Trade mark/ mono-gram being used	Orders regarding cancellation of license	Result of appeal	Signature of competent authority	Remarks
6	7	8	9	10

---

Note: Column (4) does not apply to dealers; column (6) does not apply to repairers and dealers.

**SCHEDULE – XV**

**[See rule 3 (7)]**

**Government of Punjab**

**Office of the Controller of Legal Metrology, Punjab**

**Security deposit to be made by licensed repairer**

Repairer of weights and measures including weighing and measuring instruments.	Rs.5000.00
---	------------

**SCHEDULE – XVI**  
**[See rule 7 (3)]**  
**Government of Punjab**  
**Office of the Controller, Legal Metrology, Punjab,**  
**Certificate of verification**

Name of Inspector .....

No.....

I hereby certify that I have this day verified and stamped / rejected the under mentioned weights, measures etc.

Belonging to ..... Locality.....

---

Quantity	Denomination	Weighing instruments	Measuring instruments	Verification Fee Rs. P	Carriage, Conveyance adjusting charges etc.
	Weights   measures				

---



---

1	2	3	4	5	6	7	8	9	10
---	---	---	---	---	---	---	---	---	----

---

Total Rs..... deposited vide T. Receipt/Money receipt No..... dated.....

Repaired by / Used by

(Signature)

Next verification due on..... Inspector

**Note:-**

- (1) In the case of rejected weights, measures, etc. the Inspector shall give separate Certificate of rejection mentioning the reasons of rejection against each item.
- (2) The certificate of verification shall be displayed in conspicuous place where the weights and measures are used. (Rule 14)

## SCHEDULE-XVIII

[See rule 9(1)]

Fee payable for verification and stamping of Weights Measures and Weighing and Measuring Instruments

**1- (a) Bullion Weights:**

Denomination (1)	Fee per piece (Rs.) (2)
10 kg.	60.00
5 kg.-to- 1kg	40.00
500 g- to-1 mg	30.00

**(b) Carat Weights:**

100 g(500 c)-to 1mg(0.005 c)	40.00
---------------------------------	-------

**(c) Cylindrical knob type Weights:**

Denomination (1)	Fee per piece (Rs.) (2)
10 kg, 5 kg.	40.00
2 kg.	30.00
1 kg.	20.00
500 g to 1 g	10.00

<b>(d) Sheet metal Weights (other than Bullion)</b>	
Denomination (1)	Fee per piece (Rs.) (2)
500 mg to 1mg	10.00

**(e) Iron hexagonal, knob type weights and parallelepiped Weights:**

Denomination (1)	Fee per piece (Rs.) (2)
50 kg.	50.00
5kg, 10kg, 20 kg.	40.00
2 kg.	30.00
1 kg.	20.00
500 g to 1 g	10.00

**(e) Standard weights for testing of high capacity weighing machines:**

Denominations	Fee corresponding to Max permissible relative error 0.5/10000 in Rs.	Fee corresponding to Max permissible relative error 3.3/10000, 1.7/10000 and 1.0/10000 in Rs.
100 kg	75.00	50.00
200 kg	150.00	100.00
500 kg	300.00	200.00
1000 kg	750.00	500.00
2000 kg	1500.00	1000.00
5000 kg	3000.00	2000.00

---

## 2. Capacity Measures:

Denomination (1)	Fee per piece (Rs.) (2)
100 litre and above	Rs.50 for the Ist 100 litre plus Rs.7 for every additional 100 litre or part thereof subject to maximum OfRs.5000.
50l	100.00
20l,10 l	40.00
5 l – 1ml	20.00

---

## 3- Length Measures:

### (a) Non-Flexible –

Denomination (1)	Fee per piece (Rs.) (2)
2m	20.00
1 m	20.00
0.5m	40.00
1m graduated (at every cm)	40.00
0.5m graduated (at every cm)	40.00

---

### ( b) Fabric Plastic / Woven /Steel Tapes-

Denomination (1)	Fee per piece (Rs.) (2)
Upto 5 meter	0.50
Above 5 meter and upto 10 meter	1.00
Above 10 meter and upto 50 meter	5.00
Above 50 meter and upto 100 meter	10.00
Above 100 meter and upto 200 meter	20.00

**(c) Folding chains**

---

Denomination	Fee per piece (Rs.)
1m	20.00
0.5 m	20.00

---

**(d) Surveying Chains**

---

Denomination	Fee per piece (Rs.)
30m	200.00
20 m	200.00

---

**4- Beam Scale Class A & B.**

Denomination (1)	Fee per piece (Rs.) (2)
200 kg.	800.00
100 kg.	600.00
50kg-10 kg.	300.00
5kg-1 kg.	200.00
500 g and below	120.00

**5- Beam Scales Class C&D:**

Denomination (1)	Fee per piece (Rs.) (2)
1000 kg to 300 kg.	400.00
200kgto100kg.	200.00
50 kg to 10kg	40.00
5 kg to 1 kg.	30.00
500 g and below	20.00

**6- Non-Automatic Weighing Instruments – Mechanical  
(analogue)  
Class III and IV:**

400 t	4000.00
300 t-200 t	3000.00
150 t-15 t	2000.00
10 t	1000.00
5 t	500.00
3t-2 t	400.00
1500 kg-500 kg	300.00
300 kg-200 kg	200.00
200kg-30kg	100.00
25 kg-20 kg	60.00
15 kg-1 kg	30.00
500g and below	15.00



**7- Non-Automatic Weighing Instruments – Electronic Class III and IV:**

400 t 4000.00

300 t-200t 3000.00

150t-15 t 2000.00

10t-5 t 1000.00

3t-2 t 500.00

1500 kg-500 kg 250.00

300-25 kg 200.00

Upto20 kg 100.00

**8- Non Automatic Weighing instruments both mechanical and electronics Class I and II.**

Capacity	Fee (Rs.)
Exceeding 50 t	3000.00
Not exceed 50t but exceed 10t	2000.00
Not exceed 10 t but exceed 1t	1000.00
Not exceed 1t but exceed 50 kg	500.00
Not exceed 50 kg but exceed 10 kg	250.00
Not exceed 10 kg	200.00

**9- Automatic Weighing Instrument:**

Capacity	Fee (Rs.)
Exceeding 100 t	4000.00
Not exceeding 100t but exceeding 50t	3000.00
Not exceeding 50t but exceeding 10t	2000.00
Not exceeding 10 t but exceeding 1t	1000.00
Not exceeding 1t but exceeding 50 kg	500.00
Not exceeding 50 kg but exceeding 10 kg	250.00
Not exceeding 10 kg	200.00

**10- Volumetric measuring instruments:**

- (a) Dispensing pumps each pump : Rs. 1000.00 per unit  
(b) Totalizing counter : Rs. 500.00 per unit  
(c) Other instruments :

Capacity	Fee in Rs.
Exceeding 100 litre	Rs. 500 for the 1st 100 litres plus Rs.250 for every additional 100 litre or part thereof
No exceeding 100 litre but exceeding 50 litre	500.00
Not exceeding 50 litre but exceeding 20 litre	250.00
Not exceed 20 litre	200.00

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<b>11-</b>	<b>Flow metres:</b>	
	Flow rate up to 100 litre/min.	Rs. 2000.00
	Above 100 litre/min. upto 500 litre/min.	Rs. 3000.00
	Above 500 litre / min.	Rs. 5000.00
<b>12-</b>	<b>Linear Measuring Instruments:</b>	
	Taxi, Autorikshawmeters	Rs.100.00
	Other meters	Rs.50 for the Ist 1000 m. or part there of plus Rs.5.00 for every additional 100 m. or part thereof
<b>13-</b>	<b>Clinical Thermometers</b>	Rs. 1.00 per unit
<b>14-</b>	<b>Water meter</b>	Rs. 25.00 per unit
<b>15-</b>	<b>Peg Measure:</b>	
	30 ml, 60 ml,100 ml	Rs. 50.00
<b>16.</b>	<b>CNG Dispensers:</b>	Rs.3000.00 per unit
<b>17.</b>	<b>LPG Dispensers:</b>	Rs.3000.00 per unit
<b>18.</b>	<b>Counter Machine:</b>	
	Upto capacity 10 kg.	60.00
	Above 10 kg.	100.00

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## SCHEDULE-XVIII

[See rule 16]

Form of appeal against an order of a Inspector / Controller Legal Metrology:

1. Name address of appellant.
2. No. and date of Inspector / Controller of Legal Metrology against which the appeal is preferred.
3. Whether the appellant desires to be heard in person or through an authorized representative.
4. Ground of appeal.

The information used while writing the introduction has been gathered from various sources including books, magazines and internet. While it is not possible to give the bibliographic details, the sources are hereby gratefully acknowledged.

### **Important Websites pertaining to legal metrology;**

1. [www.fcamin.nic.in](http://www.fcamin.nic.in)
2. [www.metrologyindia.org](http://www.metrologyindia.org)
3. [www.metrolak.nic.in](http://www.metrolak.nic.in)
4. <http://weights.delhigovt.nic.in>
5. [www.cwnm.nic.in](http://www.cwnm.nic.in)
6. [www.apcolm.gov.in](http://www.apcolm.gov.in)
7. [www.chandigarh.gov.in/dept\\_weight.htm](http://www.chandigarh.gov.in/dept_weight.htm)
8. [www.lmdca.gujarat.gov.in](http://www.lmdca.gujarat.gov.in)
9. <http://legalmetrology.maharashtra.gov.in>
10. <http://legal.mizoram.gov.in>
11. [www.uplegalmetrology.org](http://www.uplegalmetrology.org)
12. <http://admis.hp.nic.in/ehimapurti/weight.htm>
13. [www.welmec.org](http://www.welmec.org)

14. [www.aplmf.org](http://www.aplmf.org)
15. [www.sim-metrologia.org.br](http://www.sim-metrologia.org.br)
16. [www.coomet.org](http://www.coomet.org)
17. [www.bipm.org](http://www.bipm.org)
18. [www.apmpweb.org](http://www.apmpweb.org)
19. [www.measurement.gov.au](http://www.measurement.gov.au)
20. [www.sadc-sqam.org](http://www.sadc-sqam.org)
21. [www.nmij.jp/index\\_en.html](http://www.nmij.jp/index_en.html)
22. [www.euramet.org](http://www.euramet.org)
23. [www.imeko.org](http://www.imeko.org)