

GOVERNMENT OF MAHARASHTRA
FOOD, CIVIL SUPPLIES & CONSUMER PROTECTION DEPARTMENT



**MAHARASHTRA
LEGAL METROLOGY MANUAL
2011**



**CONTROLLER LEGAL METROLOGY
MAHARASHTRA STATE, MUMBAI**

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FOOD, CIVIL SUPPLIES & CONSUMER PROTECTION
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CONTROLLER
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PREFACE

Organization

Legal Metrology Organization is one of the important organizations of Government of Maharashtra. When this organization was started, it was a part of Industries Department. Since 1977, it has been working under the administrative control of Food, Civil Supplies and Consumer Protection Department. It plays a major role in protecting consumers' interests by way of enforcing various provisions of The Legal Metrology Act, 2009 and Rules made thereunder. The provisions of this Act are based on recommendations of International Organization of Legal Metrology (OIML). These recommendations keep on changing and accordingly provisions of this Act and rules are also amended from time to time. The manpower of Legal Metrology Organization in Maharashtra is very small as compared to the tasks it has to perform. This is a State level organization with positions like Deputy Controller, Assistant Controller and Inspectors. Each position is assigned with certain powers for decision making. Their roles and responsibilities are also defined. Each position / post requires optimum qualifications. All these are highlighted in the subsequent sections.

Inspector

The Inspector is the lowest field functionary entitled to be called Legal Metrology Officer. Minimum qualification required for appointment as Legal Metrology Officer is graduate from a recognized university in science (with physics as one of the subjects), or engineering or technology or diploma in engineering or technology. Main responsibilities of the Inspector include verification of weight or

measure, inspections, surprise visits, registering cases for violation of provisions of the law, preparing proposals for compounding and/or lodging cases with appropriate courts and functioning as an Assistant Public Prosecutor in those courts. His jurisdiction consists of one or two talukas in mofussil areas and certain metropolis areas as notified.

Assistant Controller

Assistant Controller is a Legal Metrology Officer ranked above the Inspector. Assistant Controller is appointed from amongst the Inspectors by promotion or directly nominated from the candidates having basic qualification as B.E. (Mechanical, Electronics or Computer) or M.Sc with Physics by Maharashtra Public Service Commission. Ideally, this is a District level post. However, in some cases an Assistant Controller has to oversee more than one District. He is head of the office, drawing and disbursing officer for the District/Districts, and also a supervisory officer. He is responsible for monitoring the work of Inspectors under his charge. In his concerned District, he exercises certain delegated powers regarding compounding of certain offences under the Act and Rules made thereunder and issues/renews licences to dealers in weight or measure. The powers delegated to him include renewal of licences of repairers of weight or measure in the District which have been issued by the Regional Deputy Controller. He also registers Manufacturers/Packers of packaged commodities in his District.

Deputy Controller

Deputy Controller is the Regional head and responsible for working of this organization in his region. He is the supervisor of all Legal Metrology Officers working under him. He exercises certain delegated powers regarding compounding of certain offences under the Act and

Rules made thereunder. He issues licences to the repairers of weight or measure and also renews licences in his Region which are issued by the Controller's Office. He is in-charge of Secondary Standard Laboratory and is authorized to approve results of Working Standards. He also approves the yearly work programme of the Inspectors.

Need of the Manual

While interacting with Officers of this Organization, the Controller of Legal Metrology, who is an IPS officer, realized that despite having qualified staff, Legal Metrology Organization has not projected its image properly to the public to a great extent. It was observed that 'go alone' attitude exists on a large scale amongst the Officers. Despite having technically qualified personnel, desired performance in areas of verification and prosecution work is not achieved. Analyzing the shortcomings of performance of this organization revealed that most of the members do not follow uniform procedure at their respective level. The procedures followed were mainly dependent on the circulars issued from time to time. But the applicable period of most of these circulars had expired as they were situation specific. Hence, a departmental manual is necessary to streamline the functions of the organization. It would also aid in defining the role and responsibilities of the Officers enforcing the Legal Metrology Act and Rules made thereunder.

Almost all States have Legal Metrology Organizations but their functioning differs from State to State. Also, Legal Metrology Organizations in the country work/function under different Departments, for instance, in Tamil Nadu under Labour Department, in Rajasthan under Industries Department, in Andhra Pradesh, under Home Department, whereas in Jharkhand it works/functions under Agriculture

Department. In Maharashtra it is working under Food, Civil Supplies and Consumer Protection Department, which is very relevant as the duties and the responsibilities of the officers of this organization are directly related to this Department.

In many States the Legal Metrology Organization is considered as revenue earning organization and as a result targets are set for the collection of revenue. Government of Maharashtra has considered this organization as service organization and so targets are not given to the officers for collecting revenue. In Maharashtra this organization goes by expected collection of the fees commensurate with the services rendered to various stakeholders such as Manufacturers, Dealers, Repairers and users of weight or measure as well as other aspects of enforcement.

Similarly, there is no uniformity in the organizational structure of the Legal Metrology Organizations in the country. In some States there is a post of Additional Controller and Joint Controller whereas many other States have no such posts. In many States there is no Assistant Controller for each District. Therefore, there is no uniformity in working procedures of Legal Metrology in the country.

There is no manual for uniform working existing even within a State and the functioning depends on the administrative instructions as well as directive circulars issued from time to time. When Head of the Organization i.e. Controller of Legal Metrology is changed or transferred, the working procedure also changes in terms of priorities of new incumbent, thereby affecting the continuity.

With a view to bringing uniformity in the working within the Maharashtra State, a committee under the Chairmanship of one Deputy

Controller was constituted for preparing a Departmental Manual. This Committee initially consisted of a chairman, two Assistant Controllers and two Inspectors. The number of members of the Committee was subsequently increased in order to have better representation from different regions of the State. Finally, the Committee consisted of Shri. C.G. Jadhav, Dy. Controller as Chairman, three Assistant Controllers, Shri. N. P. Joshi, Shri. S. H. Chate, Shri. S.K. Bagal and six Inspectors, Shri. P.V. Patil, Shri. S. M. Shinde, Shri. G. M. Waghmare, Shri. D. L. Poradwar, Shri. J. M. Rajderkar, and Shri. S.Y. Munde. They all participated as members while formulating this manual. Several meetings were held by this Committee under the guidance of Shri. D.P. Gomare (former Legal Advisor cum Jt. Secretary, Law and Judiciary Department, Government of Maharashtra) and a preliminary draft of the manual was submitted to Controller's office.

This draft was circulated among different constituted sub-groups to study and give suggestions, if any. The draft was thoroughly discussed on 27/8/2011 in a one-day workshop held at Aurangabad. The suggestions given by these groups and comments offered by the Director of Legal Metrology, New Delhi and representatives of other States, who attended the workshop, were taken into consideration by the Committee and a final draft was submitted by the Committee to the Controller. This draft was further scrutinized by a Scrutiny Committee and Officers at the Headquarters. The scrutinized final draft was submitted to Government of Maharashtra for approval. State Government has accorded its approval to this manual vide letter no. LMO-2011/791/C.R.213/C.P.- 4 dated 12/12/2011.

About the Manual

Maharashtra Legal Metrology Manual explains in detail the duties and responsibilities of different Officers and their detailed working procedure, maintenance of office record, etc. Procedures specified in this manual would help different officers to perform their day-to-day work confidently. Maharashtra State Legal Metrology is the first organization in the country to implement sealing of electronic weighing instruments. It has always been a pioneer in the area of Legal Metrology. Maharashtra State is again the pioneer in providing a procedural manual for Legal Metrology Officers in the State level. Since The Legal Metrology Act, 2009 and all the Central Rules are the same for all the States in the country, this manual would be useful to Legal Metrology Officers of the other States as well.

In the background of the globalizing world economy, questions concerning privatization of Metrology set-ups have been raised on the plea that competition will improve the quality of the work and specialization of private set-ups will complement the working of the Legal Metrology Organization of the State. Preparation of this was carried out in order to increase efficiency of the Legal Metrology Organization and for boosting the confidence of the officers of the Organization. This manual would help them by giving guidelines which are free from distortions and provide clear-cut directions. This manual will act as a ready reckoner to field officers and encourage them to face the possible challenges in the near future. Every possible effort has been undertaken to make this manual useful as a reference book for field officers of the Legal Metrology Organization in the discharge of their duties. I am sure that this manual will also be helpful in determining the

limitations and strengths of Legal Metrology Officers, so that they can perform their duties in effective manner.

I congratulate the Manual Committee for their significant contribution to this organization and for preparing this manual in a time-bound manner. I am thankful to Mr. D. P. Gomare, former Legal Advisor cum Jt. Secretary, Law and Judiciary Department, Government of Maharashtra for his valuable guidance to the Committee.

I am grateful for the keen interest shown, support and backing extended by Shri. Anil Deshmukh, Hon. Minister, Food, Civil Supplies and Consumer Protection and Shri. Ranjit Kamble, Hon. Minister for State, Food, Civil Supplies and Consumer Protection and Dr. Bhagwan Sahai, IAS, Principal Secretary for according approval to this manual.

I am also grateful to Shri. B. N. Dixit, Director, Legal Metrology and Shri. T. Singaravel IPS (retired) and Ex. Controller for their valuable guidance and suggestions.

And lastly, I thank all the officers and staff of Legal Metrology Organization for their timely valuable suggestions and full support for preparing the manual which will be remembered as a milestone in the history of Legal Metrology Organization of the country.

Place- Mumbai
Date- 12th December, 2011.

Maadhava
12-12-2011

Dr. Maadhava Saanap IPS
Special Inspector General of Police &
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Maharashtra State, Mumbai.

MAHARASHTRA LEGAL METROLOGY MANUAL

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INTRODUCTION

The excavation at Mohenjo-Daro, Harappa and other places shows that even in ancient days there was uniformity in weight or measure used in our country with regard to shapes, denominations, accuracy and also with the consistency of material used. This indicated that even in those days there was an authority regulating the standards of weight or measure. Kautilya's 'Arthshastra' also indicates the existence of a single system of weights and measures during the regime of Chandragupta Maurya. Thereafter, in the course of time, the number of standards of weights and measures became so bewildering that they varied from town to town, market to market and also commodity to commodity. The need to attain uniformity in this was felt, but could not be achieved until independence.

British rule in India tried to establish uniform standards of mass, volume and length and enacted The Standards of Weights and Measures Act, 1939. This Act was brought into force from July, 1942. In spite of this legislation, the variety of standards of weights and measures that were prevalent in India continued to be in force. It was the genius and foresight of our late Prime Minister Jawaharlal Nehru, which was responsible for the enactment of 'The Standards of Weights and Measures Act, 1956'. This Act introduced 'Metric System' as the uniform system of weights and measures in India.

Metrology is that branch of science which embraces all the theoretical as well as practical concepts in relation to measurements. Legal Metrology is that part of metrology which relates to units of weighment and measurement, as well as methods of weighment and measurement which

are concerned with statutory provisions to safeguard the public from the point of view of security and accuracy of weighments and measurements.

On the backdrop, on 20th May, 1875, the Convention called Metre Convention was signed in Paris by representatives of seventeen nations. The Convention of the Metre (Convention du Mètre) is a treaty that created the International Bureau of Weights and Measures (BIPM), an intergovernmental organization under the authority of the General Conference on Weights and Measures (CGPM) and the supervision of the International Committee for Weights and Measures (CIPM). With the inclusion of the BIPM and laying down the way in which the activities of the BIPM should be financed and managed, the Metre Convention established a permanent organizational structure for member governments to act in common accord on all matters relating to units of measurement. The Convention, modified slightly in 1921, remains the basis of international agreement on units of measurement. The BIPM now (as of 1st August, 2011) has fifty-five Member States, including India and all the major industrialized countries. The Republic of India became a Member State in 1957.

The BIPM acts in matters of world metrology, particularly concerning the demand for measurement standards of ever increasing accuracy, range and diversity, and the need to demonstrate equivalence between national measurement standards.

The International Organization of Legal Metrology (OIML) is an intergovernmental treaty organization whose membership includes Member States, countries which participate actively in technical activities, and corresponding members, countries which join the OIML as

observers. It was established in 1955 in order to promote the global harmonization of legal metrology procedures. Since then OIML has developed a worldwide technical structure that provides its Members with metrological guidelines for the elaboration of national and regional requirements concerning the manufacture and use of measuring instruments for legal metrology applications.

Constitutional position

India being a Union of States, legislative powers are shared between the Union and the States. The matters in relation to which legislations may be made are classified into 3 lists (Union list, State list and Concurrent list) as specified in 7th Schedule of Constitution of India. Parliament has exclusive power to legislate on any matter in the Union list. State legislatures have exclusive power to legislate on any matter in the State list. However Parliament has power to legislate on any matter in State list in certain contingencies. Both Parliament and State legislatures have concurrent powers of legislation with regard to any matter on the Concurrent list. But Parliamentary legislation would override the State legislation on the same matter.

The subject of Weights and Measures is in Concurrent list. Parliament has exclusive power to legislate for the implementation of the decisions taken at International Conferences, in which India has participated (Article 253, entry 13 and 14 of Union list).

Considering all above aspects, Government of India has enacted The Legal Metrology Act, 2009. Since April 2011, implementation of this Act

has been started. In order to implement different provisions of this Act, following Rules have been framed by Government of India:

1. The Legal Metrology (Packaged Commodities) Rules, 2011
2. The Legal Metrology (General) Rules, 2011
3. The Legal Metrology (Approval of Models) Rules, 2011
4. The Legal Metrology (National Standards) Rules, 2011
5. The Legal Metrology (Numeration) Rules, 2011
6. The Legal Metrology (Numeration) Amendment Rules, 2011
7. The Indian Institute of Legal Metrology Rules, 2011
8. The Legal Metrology (General Corrigendum) Rules, 2011

For implementation of different provisions of this Act and Rules made thereunder, Government of Maharashtra has framed “Maharashtra Legal Metrology (Enforcement) Rules, 2011”.

In order to have uniform interpretation and office procedures throughout the State, a manual committee was constituted by Dr. Maadhava Saanap, I.P.S., Controller of Legal Metrology, Maharashtra State. This committee was directed to frame a draft of ‘Maharashtra Legal Metrology Manual’. Legal Metrology Organization of Maharashtra have risen to the challenge of this task by offering their collective experience accumulated in the course of their long service.

CHAPTER I

Definitions

1.1	Terms defined in The Legal Metrology Act, 2009	6
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CHAPTER I

Definitions

The definitions of the “expressions” and “terms” used in The Legal Metrology Act 2009 and Rules made thereunder are as follows and should be construed accordingly.

(A) “**Act**” means The Legal Metrology Act, 2009 (1 of 2011);

(B) “**Rules**” means ;

- i) The Legal Metrology (Packaged Commodities) Rules, 2011
- ii) The Legal Metrology (General) Rules, 2011
- iii) The Legal Metrology (Approval of Models) Rules, 2011
- iv) The Legal Metrology (National Standards) Rules, 2011
- v) The Legal Metrology (Numeration) Rules, 2011
- vi) The Indian Institute of Legal Metrology Rules, 2011
- vii) The Maharashtra Legal Metrology (Enforcement) Rules, 2011

(C) “**Licencing Authority**” means any Legal Metrology Officer authorized to grant a licence under the Act and the Rules, as the case may be;

(D) “**Licence**” means the licence granted in the format prescribed under the respective Rules.

1.1 The terms defined in The Legal Metrology Act, 2009

- (a) "**Controller**" means the Controller of Legal Metrology appointed under Section 14;
- (b) "**dealer**" in relation to any weight or measure, means a person who, carries on, directly or otherwise, the business of buying, selling, supplying or distributing any such weight or measure, whether for cash or for deferred payment or for commission, remuneration or other valuable consideration; and includes a commission agent, an importer, a manufacturer, who sells, supplies, distributes or otherwise delivers any weight or measure manufactured by him to any person other than a dealer;
- (c) "**Director**" means the Director of Legal Metrology appointed under Section 13;
- (d) "**export**" with its grammatical variations and cognate expressions, means taking out of India to a place outside India;
- (e) "**import**" with its grammatical variations and cognate expressions, means bringing into India from a place outside India;
- (f) "**label**" means any written, marked, stamped, printed or graphic matter affixed to, or appearing upon any pre-packaged commodity;
- (g) "**Legal Metrology**" means that part of metrology which treats units of weight and measurement, methods of weight and measurement and weighing and measuring instruments, in relation to the mandatory technical and legal requirements which have the object of ensuring public guarantee from the point of view of security and accuracy of the weightings and measurements;
- (h) "**legal metrology officer**" means Additional Director, Additional Controller, Joint Director, Joint Controller, Deputy Director,

Deputy Controller, Assistant Director, Assistant Controller and Inspector appointed under sections 13 and 14;

- (i) **"manufacturer"** in relation to any weight or measure, means a person who –
 - i) manufactures weight or measure,
 - ii) manufactures one or more parts, and acquires other parts, of such weight or measure and, after assembling those parts, claims the end product to be a weight or measure manufactured by himself or itself, as the case may be,
 - iii) does not manufacture any part of such weight or measure but assembles parts thereof manufactured by others and claims the end product to be a weight or measure manufactured by himself or itself, as the case may be,
 - iv) puts, or causes to be put, his own mark on any complete weight or measure made or manufactured by any other person and claims such product to be a weight or measure made or manufactured by himself or itself, as the case may be;
- (j) **"notification"** means a notification published in the Official Gazette;
- (k) **"protection"** means the utilization of reading obtained from any weight or measure, for the purpose of determining any step which is required to be taken to safeguard the well-being of any human being or animal, or to protect any commodity, vegetation or thing, whether individually or collectively;
- (l) **"pre-packaged commodity"** means a commodity which without the purchaser being present is placed in a package of whatever nature, whether sealed or not, so that the product contained therein has a pre-determined quantity;

(m) "**person**" includes,

- i) a Hindu undivided family,
- ii) every department or office,
- iii) every organization established or constituted by Government,
- iv) every local authority within the territory of India,
- v) a company, firm and association of individuals,
- vi) trust constituted under an Act,
- vii) every co-operative society, constituted under an Act,
- viii) every other society registered under the Societies Registration Act, 1860;

(n) "**premises**" includes

- i) a place where any business, industry, production or transaction is carried on by a person, whether by himself or through an agent, by whatever name called, including the person who carries on the business in such premises,
- ii) a warehouse, godown or other place where any weight or measure or other goods are stored or exhibited,
- iii) a place where any books of account or other documents pertaining to any trade or transaction are kept,
- iv) a dwelling house, if any part thereof is used for the purpose of carrying on any business, industry, production or trade,
- v) a vehicle or vessel or any other mobile device, with the help of which any transaction or business is carried on;

(o) "**prescribed**" means prescribed by rules made under this Act;

(p) "**repairer**" means a person who repairs a weight or measure and includes a person who adjusts, cleans, lubricates or paints any weight or measure or renders any other service to such weight or

measure to ensure that such weight or measure conforms to the standards established by or under this Act;

- (q) "**State Government**", in relation to a Union territory, means the Administrator thereof;
- (r) "**sale**", with its grammatical variations and cognate expressions, means transfer of property in any weight, measure or other goods by one person to another for cash or for deferred payment or for any other valuable consideration and includes a transfer of any weight, measure or other goods on the hire-purchase system or any other system of payment by installments, but does not include a mortgage or hypothecation of, or a charge or pledge on, such weight, measure or other goods;
- (s) "**seal**" means a device or process by which a stamp is made, and includes any wire or other accessory which is used for ensuring the integrity of any stamp;
- (t) "**stamp**" means a mark, made by impressing, casting, engraving, etching, branding, affixing pre-stressed paper seal or any other process in relation to, any weight or measure with a view to-
 - i) certifying that such weight or measure conforms to the standard specified by or under this Act, or
 - ii) indicating that any mark which was previously made thereon certifying that such weight or measure conforms to the standards specified by or under this Act, has been obliterated;
- (u) "**transaction**" means,
 - i) any contract, whether for sale, purchase, exchange or any other purpose, or
 - ii) any assessment of royalty, toll, duty or other dues, or

- iii) the assessment of any work done, wages due or services rendered;
- (v) "**verification**", with its grammatical variations and cognate expressions, includes, in relation to any weight or measure, the process of comparing, checking, testing or adjusting such weight or measure with a view to ensuring that such weight or measure conforms to the standards established by or under this Act and also includes re-verification and calibration;
- (w) "**weight or measure**" means a weight or measure specified by or under this Act and includes a weighing or measuring instrument.

1.2 The terms defined in “The Legal Metrology (Packaged Commodities) Rules, 2011”

- (a) “**dealer**” in relation to any commodity in packaged form, means a person who, or a firm which carries on directly or otherwise, the business of buying, selling, supplying or distributing any such commodity whether for cash or for deferred payment or for commission, remuneration or other valuable consideration, and includes a commission agent who carries on such business on behalf of any principle, but does not include a manufacturer who manufactures any commodity which is sold or distributed in a packaged form except where such commodity is sold by such manufacturer to any other person other than a dealer;
- (b) “**lot**” means,
 - i) in the case of packages which have been stored, the total number of such packages stored ;and

- ii) in the case of packages which are on or at the end of packing line, the maximum hourly output of packages;
- (c) **“manufacturer”** in relation to any commodity in packaged form, means a person who or a firm which produces, makes or manufactures such commodity and includes a person or a firm which puts, or causes to be put, any mark on any packaged commodity, not produced, made or manufactured by him or it, and the mark claims the commodity in the package to be a commodity produced, made or manufactured by such person or firm as the case may be;
- (d) **“Maximum permissible error”**, in relation to the quantity contained in an individual package, means an error in deficiency which, subject to the provision of these rules, does not exceed the limits specified in the First Schedule;
- (e) **“net quantity”**, in relation to commodity contained in a package, means the quantity by weight, measure or number of such commodity contained in that package, excluding the packaging or wrappers;
- (f) **“packer”** means a person who or a firm which pre-packs any commodity, whether in any bottle, tin, wrapper, or otherwise, in units suitable for sale whether wholesale or retail;
- (g) **“principal display panel”**, in relation to a package, means the total surface area of the package where the information required under these rules are to be given in the following manner, namely:-
 - i) all the information could be grouped together and given at one place; or
 - ii) the pre-printed information could be grouped together and given in one place and on line information grouped together in other place;

- (h) **“quantity”** in relation to commodity contained in a package, means the quantity by weight, measure or number of such commodity contained in that package;
- (i) **“retail dealer”** in relation to any commodity in packaged form means a dealer who directly sells such packages to the consumer and includes, in relation to packages as are sold directly to the consumer , a wholesale dealer who makes such direct sale to the consumer;
- (j) **“retail package”** means the packages which are intended to for retail sale to the ultimate consumer for the purpose of consumption of the commodity contained therein and includes the imported packages:
Provided that for the purpose of this clause, the expression ‘ultimate consumer’ shall not include industrial or institutional consumers;
- (k) **“retail sale”** in relation to commodity, means the sale, distribution or delivery of such commodity through retail sales shops, agencies or other instrumentalities for consumption by an individual or a group of individuals or any other consumer;
- (l) **“retail sale price”** means the maximum price at which the commodity in packaged form may be sold to the ultimate consumer and the price shall be printed on the package in the manner given below:

‘Maximum or Max. retail price Rs.../₹ inclusive of all taxes or in the form ‘MRP Rs.../₹ incl. of all taxes’ after taking into account the fraction of less than fifty paise to be rounded off to the preceding rupee and fraction of above 50 paise and up to 95 paise to the rounded off up to fifty paise;
- (m) **“section”** means a section of the Act;
- (n) **“Schedule”** means Schedule appended to these rules;

- (o) **“standard package”** means a package containing the specified quantity of a commodity;
- (p) **“wholesale dealer”** in relation to any commodity in packaged form means a dealer who does not directly sell such commodity to any consumer but distributes or sells such commodity through one or more intermediaries;
- (q) **“wholesale package”** means a package containing -
 - i) a number of retail packages, where such first mentioned package is intended for sale, distribution or delivery to a intermediary and is not intended for sale direct to a single consumer; or
 - 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; or
 - iii) Packages containing ten or more than ten retail packages provided that the retail packages are labeled as required under the rules.
- (r) words and expressions used herein and not defined but defined in the Act, shall have the meanings respectively assigned to them in the Act.

1.3 The terms defined in “The Legal Metrology (General) Rules, 2011”

- (a) **“schedule”** means a schedule appended to these rules;
- (b) **“section”** means a section of the Act;
- (c) Words and expressions used in these rules and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.

1.4 The terms defined in “The Legal Metrology (Approval of Models) Rules, 2011”

- (a) **“model”** means the final physical representation of a weight or measure in which all the components imparting to it the necessary metrological and technical characteristics and qualities as provided in the Act and the Rules made thereunder are suitably assembled so that subject to prescribed tolerances, every weight or measure produced in accordance with such model may be similar as regards dimensions, constructions, material performance and other metrological and technical characteristics;
- (b) **“Principal Officer”** means the officer who is in charge the laboratory;
- (c) words and expressions used in these rules and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.

1.5 The terms defined in “The Legal Metrology (National Standards) Rules, 2011”

- (a) **“co-efficient”** means those parametres without physical dimension or ratios of quantities of the same kind, which are necessary for particular measurements or for characterizing properties of substances or mixtures of certain substances;

Illustration: Degree of alcoholic strength, percentage of Sugar and hardness of materials, are examples of co-efficients.

- (b) **“derived units”** means units expressed algebraically in terms of base units, or in terms of base and supplementary units of weights or measures, by means of mathematical symbols of multiplication or division, or both.

Explanation I: Derived units having special names and symbols (such as ‘Newton’ with symbol ‘N’) may, by themselves, be used to express other derived units in a simpler way than in terms of the base units of weights and measures.

Explanation II: The values of dimensionless quantities (such as refractive index, specific gravity, relative permeability or relative permittivity) are expressed by numbers. In such cases the corresponding unit shall be the ratio of the relevant two units and may be expressed by a number;

- (c) **“General Conference on Weights and Measures”** means the conference General des Poids et Mesures established under the Metre convention to which India acceded in 1957;
- (d) **“International Bureau of weights and measures”** means the Bureau International des Poids et Mesures established under the Convention du Metre, at Sevres in France;
- (e) **“International Organization of Legal Metrology”** means the Organization Internationale de Metrologie Legale established under the convention Instituant Une Organisation Internationale de Metrologie Legale in 1955 to which India acceded in 1956;
- (f) **“International prototype of the kilogram”** means the prototype sanctioned by the first General Conference on Weights and Measures held in Paris in 1889, and deposited at the International Bureau of Weights and Measures;
- (g) **“International System of Units”** of weights and measures means ‘Le System International d ‘Units’, with the international abbreviation ‘SI’, established by the General Conference on Weights and Measures;

Explanation: ‘SI’ is divided into three classes of units, namely:-

- i) base units;
 - ii) derived units; and
 - iii) supplementary units;
- (h) **“permitted units”** means the units which though not part of the SI, are recognized and permitted by the General Conference on weights and measures for general use along with SI units;
- (i) **“physical constants”** means those constants which express the value of physical invariant in a given system of units and these constants include
- i) those which correlate two or more physical quantities to express a physical phenomenon in quantitative terms independent of any material properties; for example, gravitational constant, velocity of light etc.
 - ii) those which correlate the microscopic properties of elementary particles (atoms, molecules etc) to the corresponding microscopic properties for example; Avogadro constant, Faraday constant etc.
 - iii) Those conversion factors used to express the same parametre in terms of independently defined units for example, the conversion factor relating the astronomical unit of parsec to the metre and atomic mass unit to kilogram.
 - iv) those which describe the material properties of pure substances, for example; thermal conductivity, specific resistance etc
- (j) **“Schedule”** means the Schedule appended to these rules;
- (k) **“SI prefix”** means the name and symbol of a prefix for forming decimal multiples and sub-multiples of SI units, and of such other

units as are permitted subject to any exception or modification by the General Conference on Weights and Measures or the International Organization of Legal Metrology, or both, to be used along with the SI units;

- (l) **“special units”** means units outside, the SI which are ordinarily used in specialized fields of scientific research and the values of those units expressed in SI units can only be obtained by experiment, and are, therefore, not known exactly.

Explanation: The value of electron volt (the unit of energy) depends upon the experimentally determined value of the charge of an electron.

- (m) **“supplementary units”** mean the units of weight or measure which have been specified as such by the General Conference on Weights and Measures.

Explanation: Supplementary units may be used to form derived units

- (n) **“symbol”** means a letter or a group of letters written or combined in the specified manner for the convenient representation of a unit or a group of units;
- (o) **“temporarily accepted units”** means the unit of weight or measure which have been recognized for the time being by the General Conference on Weights and Measures for use along with SI units.

1.6 The Terms defined in “The Indian Institute of Legal Metrology Rules, 2011”

- (a) **“Committee”** means the Advisory committee constituted under rule 7;
- (b) **“Course”** means a course of study in relation to such subjects as may be specified in the regulations;

- (c) **“Institute”** means the Indian Institute of Legal Metrology;
- (d) **“Director(Indian Institute of Legal Metrology)”** means head of the institute;
- (e) **“Regulation”** means the regulations made by the Central Government under the Act.

1.7 The Terms defined in “The Maharashtra Legal Metrology (Enforcement) Rules, 2011”

- (a) **“Form”** means (a) form specified in the Schedules appended hereto;
- (b) **“repair”** means any adjustment, cleaning, lubrication or painting to any weight or measure or rendering any other service or replacement of any parts to such a weight or measure to ensure that such a weight or measure conforms to the standards established by or under the Act, with or without disturbing sealing of the system;
- (c) **“Schedule”** means a Schedule appended to these rules;
- (d) **“un-verified weight or measure”** means a weight or measure which, being required to be verified, stamped and sealed under the Act, has not been so verified, stamped and sealed;
- (e) words and expressions used in these rules and not defined here but defined in the Act shall have the meanings respectively assigned to them in the Act.

CHAPTER II

Organizational Structure, Powers, Functions and Duties of Controller, Legal Metrology Officers and other Employees

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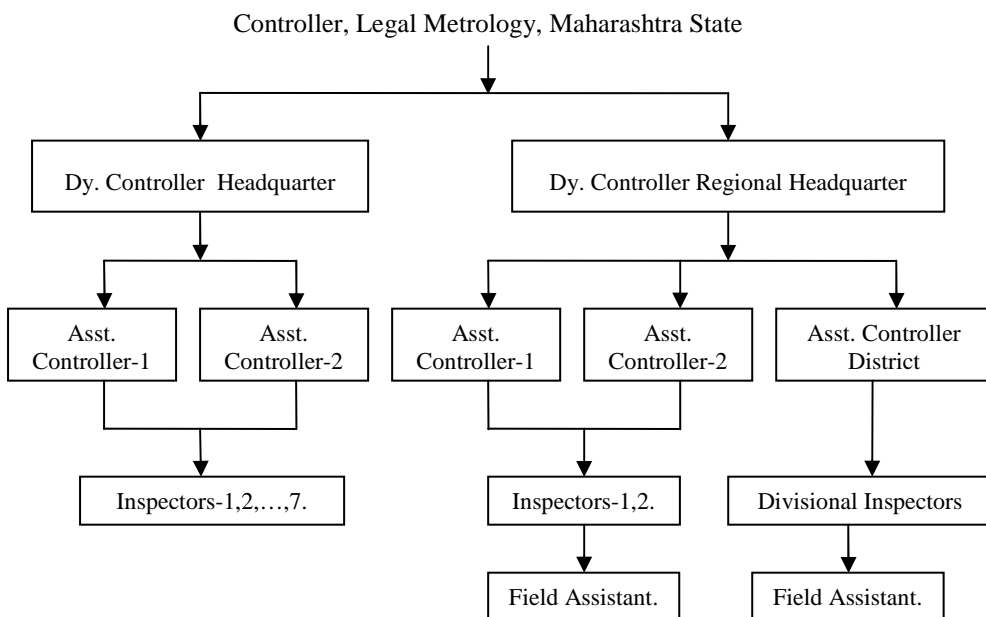
CHAPTER II

Organizational Structure, Powers, Functions and Duties of Controller, Legal Metrology Officers and other Employees

This chapter highlights organizational structure, powers, functions and duties of Controller, Legal Metrology Officers and other employees.

2.1 Organizational structure

The Legal Metrology Organisation is a State level organization. In Maharashtra, it functions under Food, Civil Supplies and Consumer Protection Department. The Controller is the head of this organization with Deputy Controllers, Assistant Controllers, Inspectors and Field Assistants under his supervision and administrative control. The hierarchical arrangement of the Organization is given below:



2.2 Powers and functions of Controller

State Government, by notification, appoints a Controller of Legal Metrology. The qualification of Controller shall be such as prescribed by the Rules. The Controller shall exercise powers and functions as specified by the State Government. The Controller shall also exercise powers of Director, if delegated. He shall:

- i) exercise the powers of Director delegated to him under sub-section (7) of section 13 of the Act, subject to sub-section (8) of the said section
- ii) implement the provisions of Act and Rules, in the State
- iii) supervise the work of all Legal Metrology Officers within the State and give directions to them from time to time.
- iv) grant licences
- v) hear appeals filed under section 50 and decide the same in the manner as provided in sub-section (3) of section 50 or send back the case with such directions as he may think fit
- vi) provide Working or Secondary Standard weights, measures, balances and such other equipments to every Legal Metrology Officer as per Rule 20 of Maharashtra Legal Metrology (Enforcement) Rules, 2011
- vii) compound the offences under the Act and Rules
- viii) delegate his powers except power of hearing of appeal under section 50, to any Legal Metrology Officer.

All Legal Metrology Officers in the State shall work under direct control, superintendence and discipline of the Controller.

2.3 Powers, functions and duties of Legal Metrology Officers (LMOs)

In the State all Deputy Controllers, Assistant Controllers and Inspectors are Legal Metrology Officers who are appointed by the State Government. They are required to exercise the powers and discharge the functions and duties conferred on them within their local limits.

The power exercised by the lowest LMO can be exercised by all the Superior officers provided these are consistent with the provisions under Act, Rules and this Manual.

2.3.1 Powers, functions and duties of Deputy Controller (Headquarter)

Deputy Controller (Headquarter) shall;

- i) exercise the powers conferred on him by the Act and delegated powers of the Controller under sub-section (7) of section 13 of the Act, subject to sub-section (8) of said section of the Act within his local limit
- ii) assist the Controller in all the matters of administration and supervision
- iii) deal with the Compounding of offences as authorized by the Controller vide notified order no. LMO/2010/410/C.R.175 (Part 2)/C.P.4 dated 29th July, 2011
- iv) grant licences to manufacturer, repairer, and dealer of weight or measure as authorized vide notification no. LMO /2010/ 410/ C.R.175 (Part 2)/ C.P.4 dated 18th June 2011
- v) assist the Controller in appeals filed under section 50 of the Act
- vi) supervise and control the staff at Headquarter

- vii) seek orders from the Controller in the matter of inspection of Field Offices and carry out inspection as per directives of the Controller
- viii) attend the court cases, arising under the Act and Rules
- ix) perform any other work assigned by the Controller

2.3.2 Powers, functions and duties of Assistant Controller (Administration) Headquarter

He shall:

- i) assist Controller and Deputy Controller in the matters related to office establishment, compounding of offences and appeals filed under section 50 of the Act
- ii) work as complaint redressal officer
- iii) organize consumer awareness programmes with the approval of Controller and Deputy Controller
- iv) prepare and arrange training programmes for Legal Metrology Officers and other staff.
- v) assist superiors to conduct office inspections of LMOs
- vi) prepare programme for conducting various campaigns
- vii) consolidate monthly report of the State
- viii) perform any other duties and functions assigned to him by the Controller or Deputy Controller (H.Q.) from time to time

2.3.3 Powers, functions and duties of Assistant Controller (Accounts) Headquarter

He shall;

- i) work as “Drawing and Disbursing Officer”
- ii) assist superiors in all the matters related to accounts and work related to Standard/ Precision Laboratory

- iii) assist superiors in the work related to issuance and renewal of licences
- iv) communicate with State Government and Financial Advisor and Deputy Secretary in the matters of budget and other financial aspects
- v) assist superiors in providing stamps, dies and Working Standard equipments to LMOs
- vi) assist Controller or Deputy Controller in the cases filed in the Maharashtra Administrative Tribunal (MAT) and High Court
- vii) perform any other duties and functions assigned by superior officers (H.Q.) from time to time

2.3.4 Powers, functions and duties of Inspectors at Headquarter

They shall work as per the work distribution order issued by the Controller from time to time.

2.3.5 Powers, functions and duties of Deputy Controller (Region)

He shall:

- i) exercise the powers conferred on him by the Act subject to the limitations as provided in sub-section 3 of section 14 and delegated powers of the Controller under sub-section (7) of section 13 of the Act, subject to sub-section (8) of said section of the Act, within his local limit
- ii) discharge functions as In-charge of Secondary Standards Laboratory
- iii) approve reports of verification of Working Standards
- iv) approve annual work programme of Divisional Inspectors

- v) carry out inspection of establishments on complaint or otherwise in the manner and for the purpose as provided in sections 15 and 16 of the Act
- vi) carry out office inspections of subordinate offices within his local limit
- vii) grant licence to repairer of weight or measure having activities in his region and renew licence of repairer whose licence is issued by Dy. Controller (H.Q.) and having registered office in his region and also renew licences of repairer having workshops in more than one District, within his local limit, as authorized under notification no. LMO/2010/410/C.R.175 (Part 2)/C.P.4 dated 18th June 2011 by the State Government
- viii) carry out inspections of licencees of weight or measure within his local limit
- ix) compound offences under the Act and Rules as authorized by the Controller vide notified order No. LMO/ 2010/410/ C.R.175 (Part 2)/C.P.4 dated 29th July 2011
- x) organize consumer awareness programme and assist the Controller in such programmes organized for the entire State
- xi) arrange training programmes for Assistant Controllers, Inspectors, Lab Assistants and Field Assistants within his local limit
- xii) take monthly review of District Assistant Controllers and quarterly review of Dist. Assistant Controllers along with Inspectors
- xiii) exercise any other power, discharge functions and duties assigned to him by the Controller from time to time.

2.3.6 Functions and duties of Assistant Controller (Administration) at Regional office

He shall;

- i) assist Deputy Controller in the matters relating to office establishment
- ii) assist Deputy Controller in the matters relating to licences
- iii) assist Deputy Controller in the cases filed in the MAT and High Court
- iv) assist Deputy Controller for office inspections of subordinate offices
- v) assist Deputy Controller for inspections of the licensee
- vi) assist Deputy Controller to arrange and distribute Working Standards, stamps, dies, and stamping equipments to LMOs within the region
- vii) perform any other duties and functions assigned by superior officers from time to time

2.3.7 Functions and duties of Assistant Controller (Accounts) at Regional office

He shall:

- i) work as Drawing and Disbursing Officer
- ii) assist Deputy Controller in the matters relating to compounding of offences
- iii) work as Complaint Redressal Officer
- iv) assist Deputy Controller in organizing consumer awareness programmes
- v) assist Deputy Controller for office inspections of subordinate offices

- vi) prepare programme for conducting various campaigns
- vii) prepare monthly report of the Region
- viii) perform any other duties and functions assigned by superior officers from time to time

2.3.8 Functions and duties of Inspector – I at Regional office

He shall assist Assistant Controller (Administration) viz.:

- i) in the work relating to licences
- ii) in the work relating to verification and maintenance of Secondary Standards
- iii) in the cases relating to enforcement, filed in the High Court
- iv) in the work relating to office inspections of subordinate offices
- v) to arrange and distribute Working Standards, stamps, dies, and stamping equipments to LMOs within the Region
- vi) in any other duties and functions assigned by superior officers from time to time

2.3.9 Functions and duties of Inspector – II at Regional office

He shall assist Assistant Controller (Accounts) viz.:

- i) in the matter of compounding of offences
- ii) in complaints regarding implementation of Act and Rules
- iii) to arrange consumer awareness programmes
- iv) in the work relating to office inspections of subordinate offices
- v) in the preparation of programme for conducting various campaigns
- vi) in the preparation of monthly report of Region
- vii) in any other duties and functions assigned by superior officers from time to time.

2.3.10 Functions and duties of District Assistant Controller

He shall:

- i) exercise the powers conferred on him by the Act subject to the limitations as provided in sub-section 3 of section 14 and delegated powers of the Controller under sub-section (7) of section 13 of the Act, subject to sub-section (8) of said section of the Act within his local limit.
- ii) supervise the work of Inspectors in his jurisdiction.
- iii) carry out inspection of premises on complaint or otherwise in the manner and for the purpose as provided in sections 15 and 16 of the Act.
- iv) grant and renew licences to Dealers and renew licence to repair, as authorized under notification no LMO/ 2010/410/C.R.175 (Part 2)/C.P.4 dated 18th June 2011 by State Government.
- v) compounding of offences under the Act and Rules as authorized by the Controller vide notified order No. LMO/ 2010/ 410/ C.R. 175(Part 2) /C.P.4 dated 29th July 2011.
- vi) supervise the work of verification and stamping of weight or measure
- vii) inspect office of every inspector in his jurisdiction at least once in a year.
- viii) visit and supervise work at camp office of the Inspector in his jurisdiction, as and when required
- ix) arrange special campaigns
- x) issue certificate of registration to manufacturer/packer of packaged commodity, as authorized by the Controller
- xi) carry out inspections of licencees of weights or measures

- xii) take monthly review of work of inspectors and forward various reports to Deputy Controller
- xiii) discharge any other duties and functions assigned or directed by Controller or Deputy Controller.

2.3.11 Functions and duties of Inspector

He shall:

- i) exercise the powers conferred on him by the Act subject to the limitations as provided in sub-section 3 of section 14 and delegated powers of the Controller under sub-section (7) of section 13 of the Act, subject to sub-section (8) of said section of the Act within his local limit
- ii) receive and deposit verification fee as provided in Rules 15 and 16 of The Maharashtra Legal Metrology (Enforcement) Rules, 2011
- iii) carry out the work of verification and stamping of weight or measure within his local jurisdiction. The advance intimation regarding the initial verification and stamping of weigh-bridge, petrol pump and storage tank should be given to respective District Assistant Controller
- iv) search and inspect the premises within his local limit for implementing various provisions of The Legal Metrology Act and Rules made thereunder as and when required
- v) book the case if it is noticed that there is a violation of provisions of the Act and/or Rules, and take necessary entries in various records maintained for the purpose in his office (like D.S.R. and prosecution register)

- vi) issue compounding/show cause notice to the accused, receive amount of compounding fee in compliance of the order, if any passed by the competent authority in this regard.
- vii) file the case in the court of law within the period of limitation if the offence is not compoundable or if the offence is compoundable but the accused did not agree to compound
- viii) work as in-charge of Working Standard Laboratory
- ix) deal with seized goods strictly in the manner as provided in the respective Rules.
- x) inspect every licensee in his jurisdiction at least once in a year
- xi) submit various reports regularly to the higher authority
- xii) adjust weight or measure if required and authorized
- xiii) take due care of stamps and dies supplied to him by the Department
- xiv) discharge any other duties and functions assigned or directed by Controller or Deputy Controller or Assistant Controller.

2.4 Functions and duties of Laboratory Assistant

He shall:

- i) keep neat and clean Secondary Standard Laboratory
- ii) assist the Assistant Controller for preparing record in the Secondary Standard Laboratory
- iii) assist the Assistant Controller/Inspector in verifying the Working Standards with Secondary Standards brought periodically in laboratory
- iv) visit the working standard laboratories in the region and ascertain whether the balances are in working condition and report accordingly

- v) assist Legal Metrology Officer in calibration and preparing calibration chart of the weight or measure
- vi) discharge any other duties assigned or directed by higher officers

2.5 Functions and duties of Field Assistant

He shall:

- i) keep update inward/ outward register
- ii) compile data of verified weight or measure and make the necessary entries in Daily Summary Report (DSR) and Cash Balance Report (CBR)
- iii) assist inspector for camp shifting, camp work, camp reporting and take care of tools and equipments at camp office
- iv) check the documents and number of articles presented by user/ repairer and prepare verification certificate after verification of the same and submit the same for signature
- v) assist Inspector in verification work of weight or measure
- vi) prepare notices to be sent to the users of weight or measure for re-verification and serve the same
- vii) maintain the database of the users of weight or measure
- viii) keep Working Standard Laboratory and stamping equipments neat and clean
- ix) keep records and files updated and preserve them
- x) assist the Inspector in court cases
- xi) discharge any other duties and functions assigned or directed by Legal Metrology Officer.

CHAPTER III

Training

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CHAPTER III

Training

3.1 Training to the Probationers

3.1.1 Assistant Controller

Every Assistant Controller who is appointed directly has to undergo a probation period of two years. During this period he shall undergo the following training and work experience:

- i) basic training: Assistant Controller shall complete successfully the Basic Training Course of four months at Indian Institute of Legal Metrology, Ranchi as required under The Legal Metrology (General) Rules, 2011 and Recruitment Rules
- ii) training in Accounts and Civil Services Rules
- iii) Assistant Controller shall get experience of the work of verification and stamping, prosecution, camp work, court cases, reporting etc. done by the Inspector
- iv) learn the work carried out in the offices of:
 - a) Assistant Controller
 - b) Deputy Controller
 - c) Controller
- v) Assistant Controller shall work independently for last six months of his probation period
- vi) the duration of training for (ii) to (iv) above shall be as specified by the Controller

3.1.2 Inspector

Every Inspector appointed by nomination or promotion has to undergo a probation period of one year. During this period he shall undergo the following trainings and work experience:

- i) **basic training:** Inspector shall complete successfully the Basic Training Course of four months at Indian Institute of Legal Metrology, Ranchi as required under The Legal Metrology (General) Rules, 2011 and Recruitment Rules
- ii) he shall work with such Inspector, who has experience of work not less than 10 years as Inspector. During this period he shall observe the work of Field Assistant, work of verification and stamping of weight or measure and prosecution work.
- iii) he shall work at Assistant Controller's office and while working there, he will observe the work of issuance and renewal of licences, maintenance of various registers, compilation of various reports, case register, licence register, cash book, packer registration etc. and compounding procedure of offences
- iv) he shall work at Dy. Controller's office and while working there, he will observe the work of issuance and renewal of licences, maintenance of various registers, compilation of reports etc and compounding procedure of offences
- v) he shall work independently for the last two months of his probation period
- vi) the duration of training for (ii) to (iv) above shall be as specified by the Controller

3.1.3 Laboratory Assistant and Field Assistant

Every Laboratory Assistant and Field Assistant should go for three to five days training course which shall contain the following syllabus:

- i) History of Weights and Measures
(Standardisation, OIML and its role, NPL, Reference Standards, Secondary Standards, Working Standards)
- ii) design, construction, use of material in Working and Secondary Standards, technical terminology of beam scales, length and capacity measures.
- iii) Design, construction, use of material and Technical Terminology of Digital Working and Secondary Standard Balances.
- iv) Maintenance and Servicing of Length Measures and Capacity Measures. Permissible errors allowed, Tolerances of Secondary and Working Standards, Verification Procedure of these Standards.
- v) Practical Session for Verification of equi-arm and digital Working and Secondary Standard Balances, Capacity Measures and Length Measures.
- vi) Methods of weighing, calculation of errors, Sensitivity, Accuracy, Inequality of arms, Tolerances, Technical Terminology of equi-arm Secondary and Working Standard Balances
- vii) Calibration and Verification Procedure for Digital Secondary and Working Standard Balances.
- viii) any other relevant subjects to be decided by authorities.

3.2 In service short-term training

Every Legal Metrology Officer shall be deputed for in service training by rotation viz.

- i) refresher training course at I.I.L.M., Ranchi
- ii) consumer awareness programme at Noida
- iii) LPG, CNG dispenser training course at Kerala
- iv) training programme at National Physical Laboratory
- v) training programme at Reference Standard Laboratory
- vi) training programme in Germany
- vii) training programme at YASHADA, Pune or other similar institutes on following subjects:
 - a) accounts training for controlling, Drawing and Disbursing Officers.
 - b) training on administration, management, and training in respect of various Civil Services Rules including Conduct and Discipline Rules.
 - c) computer training.
 - d) various short duration courses related to Legal Metrology Act and Rules, Criminal Procedure Code, Civil Procedure Code, Indian Penal Code, Evidence Act, and other procedures in the court etc.
- viii) periodical workshops/training on advances in Legal Metrology and amendments in Act/Rules.

CHAPTER IV

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CHAPTER IV

Procedures for Verification and Stamping

Legal Metrology Organization has to protect rights of consumers by accurate delivery of goods through weight, measure or number. This ultimate object is to be 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 by re-verification of them periodically as they tend to become inaccurate owing to frequent and constant use, wear and tear. For verification of weight or measure and to ensure their accuracy, they have to be compared with Working Standards and Secondary Standards. The Working Standards are at present with the Inspectors while Secondary Standards are with regional Deputy Controller of Legal Metrology. According to the Law, it is necessary to ensure accuracy of these Standards by periodic calibration. The Legal Metrology Officers are technically qualified persons and they have to calibrate the Secondary Standards and Working Standards as per the procedures laid down under the Act and Rules.

4.1 Verification of Secondary Standards

The Deputy Controller of the region is in-charge of Secondary Standard Laboratory. Deputy 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.

4.2 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 Legal Metrology (National Standards) Rules, 2011, every Working Standards shall be verified against the appropriate Secondary Standard at an interval not exceeding one year. The procedure for verification of Working Standards shall be in accordance with Quality Manual of Secondary Standard Laboratory.

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

Inspector shall make necessary test weights and test measures duly verified and stamped, to be used for verification and inspection of commercial weight or measure. He shall verify the accuracy of the test weights and test measures and stamp these at least twice in a year and also take the note of the same in the D.S.R.

Inspector should check and maintain the Working Standards regularly, and if the Working Standards show error beyond permissible limits he should take all necessary further steps.

4.3 Verification and stamping of commercial weight or measure

4.3.1 Verification and stamping of weight or measure used for transaction or for protection brought to the office of Inspector of Legal Metrology:

- i) any weight or measure brought to the office or camp office should be verified and stamped and sealed, as the case may be, by the concerned Inspector following the procedures as per the Rules. The fee payable shall be accepted in advance in the manner as specified by the Controller from time to time.
- ii) Inspector shall follow the timings and days notified by the order no LMO/2010/410/C.R.175(Part-2)/C.P.4 dated 29th July 2011, while carrying the work of verification and stamping and display the same at the office/camp office.
- iii) if the Inspector is not able to attend the work of verification and stamping at office or camp office, he should inform the concerned Assistant Controller in advance so that the Assistant Controller can make alternative arrangement.
- iv) the Inspector with the help of Field Assistant shall carry out the work of calculation of fees, preparation of challans/money receipt, acceptance of fees etc.
- v) All payments received in the office or camp office as fees, should be accepted in the manner as may be specified by the Controller from time to time.
- vi) Verification and stamping shall be done, subject to realization of amount of fees.

- vii) The Inspector shall instruct the Field Assistant to visually inspect the weight or measure for ensuring cleanliness and proper levelling etc.
- viii) During the verification, if the weight or measure is found to be accurate/within permissible error, such weight or measure shall be stamped by Inspector.
- ix) If it is found that the weight or measure is not within permissible error, the Inspector shall return the same by putting obliteration stamp on such weight or measure to the user along with Notice in the form given in **Schedule X** to Maharashtra Legal Metrology (Enforcement) Rules, 2011.
- x) On completion of stamping the Inspector with the help of Field Assistant shall prepare the verification certificate and separate certificate, in case of rejection shall be issued, with the reasons thereof. (**Schedule IX**)
- xi) Verification certificate shall include following additional details...in case of:
 - a) non automatic weighing instruments - max. capacity, min. capacity, 'e' value (verification scale interval) and accuracy class
 - b) non automatic measuring instruments - max. flow rate, name of the product to be dispensed
 - c) Metres for liquid other than water - flow rate, closing totalizing reading at the time of verification, name of the product to be dispensed
 - d) Tank lorry - Chassis no., vehicle number, number and sizes of front and rear tyres, tank size in metre, number of

compartments, compartment wise tank capacity, compartment wise dip mark, compartment wise dip hatch height on tank and dip hatch distance in centimetres from the front of the tank

- xii) The verification certificate shall be issued immediately
- xiii) The Inspector may refuse to accept the weight or measure brought for verification on the days and timings other than displayed in office or camp office.

4.3.2 Verification and stamping at premises other than office/camp office

Dormant weight or measure

The weight or measure which cannot be moved from its location shall be verified and stamped by the Inspector on receiving at least thirty days prior intimation request in writing from the user in the Proforma given in **ANNEX I**. The Inspector may avail the facilities provided by the user as specified by the Controller.

Movable weight or measure

On receiving request in proforma (**ANNEX I**), from user for verification of the movable weight or measure at user's premises, the Inspector may visit the user's premises and verify the weight or measure, charging the fees prescribed and the expenses incurred. However, the Inspector shall have the right to accept or reject such request.

Except procedure of charging the fees and recovering 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).

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

- i) He shall carry 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.
- ii) Where the test load provided to Inspector is not sufficient to verify or test weight or measure such as weigh bridges, platform machines, crane scales, etc., Inspector shall intimate the owner/user to make necessary arrangement for that purpose. The format for intimation letter is given in **ANNEX II**.
- iii) During visit to the premises, if the Inspector finds that no testing facility and necessary manpower is made available, the Inspector 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.
- iv) 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.
- v) The Inspector shall cause to prepare the verification certificate, with the help of Field Assistant, in the prescribed format [**Schedule IX** to the Maharashtra Legal Metrology (Enforcement) Rule 2011] and issue the same to the user immediately.

4.4 Initial verification of weight or measure (new or modified)

4.4.1 Metres for liquids other than water

An Inspector of Legal Metrology shall satisfy himself about the following documents along with company technician before undertaking verification and stamping of newly installed petrol pump:

- i) Model Approval Certificate
- ii) Importer Licence, if the dispensing unit is imported
- ii) NOC from concerned authorities such as Collector/Municipality/Corporation to install the said dispensing unit
- iii) Explosive licence from the concerned authority
- iv) Challan/Money receipt of verification and stamping fees

4.4.2 Weighing and measuring instruments

An Inspector of Legal Metrology shall satisfy himself about the following documents, before undertaking verification and stamping of newly installed weight or measure:

- i) Model Approval Certificate
- ii) Purchase bill
- iii) Importer's Licence, in case of imported weight or measure.
- iv) Availability of test load as required under The Legal Metrology (General) Rules, 2011 and the facilities prescribed under Rule 21 of The Maharashtra Legal Metrology (Enforcement) Rules, 2011.

- v) NOC from concerned authorities such as Collector/Municipality/Corporation to install such weight or measure.
- vi) Challan/Money receipt of verification and stamping fees, deposited

4.4.3 Procedure for verification of vehicle tank lorry registered in other State

In case of vehicle tank lorry registered in other State, where the calibration facility is not available, the concerned Inspector shall consider the certificate of Legal Metrology Officer of such State that they do not have the calibration facility and the calibration of such vehicle tank can be done in this State. Reference of this N.O.C. should be invariably mentioned in the verification certificate and original copy of this N.O.C. should be preserved along with challan of calibration centre with the office of the Inspector. Separate report in this respect should be submitted to the Controller's Office through proper channel.

CHAPTER V

Inspections

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CHAPTER V

Inspections

5.1 General

The Legal Metrology Officer may visit, as frequently as possible, every premises within his local limits and enter into any such premises and inspect any weight, measure or other goods in relation to which trade and commerce has taken place or is intended or likely to take place or such weight or measure is being or likely to be used for protection.

Deputy Controller, Assistant Controller and Inspectors working in Headquarter and Assistant Controller and Inspectors working in regional offices should not go for field inspection unless specifically authorized. In case of authorization, specific instructions as regards which seizure receipt book and test equipments are to be used should be given in the authorization letter. Regional Dy. Controller/District Assistant Controller can use the seizure receipt book and test equipments for field work which are maintained by their Divisional Inspector.

5.2 Inspection of establishments by Inspector

Step One

While going for inspection every Legal Metrology Officer should ascertain the check list and carry the following things with him:

- i) identity card indicating jurisdiction or Authorization letter
- ii) seizure Receipt Book
- iii) weighing Balance as per requirement
- iv) verified Test weight or measure as per requirement
- v) copy of the Act and Rules

- vi) data sheets (Net content), **Schedule X** Notice Form
- vii) formats of required documents such as undertaking for goods returnable in case of speedy and natural decay
- viii) designation stamps, sealing wire, seal and other required stationery material etc.

Step Two

After entering into premises 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 Legal Metrology Officer should seek police assistance by requesting in writing to the Area Police Station of the local jurisdiction, and report the same to higher authority for information.

Step Three

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, 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 AC/DC, 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 of accused a copy of one of the documentary evidences such as licence issued by Government/local authority/ documents like electricity bill, telephone bill, leave and licence, packer registration, etc. may be taken in possession.

Step Four

The third copy of the seizure receipt should be given to the person in-charge of the premises and acknowledgement should be taken.

If the person present/in-charge 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.

Step Five

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 Legal Metrology Officers should weigh/measure the goods on a verified weighing and measuring instruments available with him or near the place of seizure and take necessary entries in the format given in **SCHEDULE XII** of The Maharashtra Legal Metrology (Enforcement) Rules 2011

- ii) If the trader or the person present at the premises refuses to sign the form, the Legal Metrology Officer shall obtain the signature of witnesses
- 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 Legal Metrology Officer may dispose of goods as mentioned in (i) above and keep with him the empty wrappers for necessary evidence. The provision in the sub-Rule (3) of Rule 17 in The Maharashtra Legal Metrology (Enforcement) Rules, 2011 and the Schedule XII is to be followed. The list of naturally decaying substances is given in **ANNEX III**
- iv) When the goods seized are not subject to speedy or natural decay, 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 LMO at the time of seizure and remaining packages be returned to the trader or person present at the premises and an undertaking in the format given in **ANNEX IV** should be taken from the trader or person in-charge
- vi) The Legal Metrology Officer should ensure that seized and detained property is carefully sealed and preserved for producing in the court of law as and when required.

Step Six

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

5.2.1 General inspection

No specially designated seizure receipt book shall be maintained or kept in the office of Controller, Deputy Controller and District Assistant Controller. Whenever a situation occurs, such 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 neighbouring division of the same District 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.

5.3 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 inform the same to the Court having jurisdiction.

5.4 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, muddemal 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, District Assistant Controller may permit other divisional Inspector in writing to accompany him.

Controller/Deputy Controller/District Assistant Controller may arrange joint raid for specific task and effective enforcement for the better protection of consumer interest. Normally LMO shall not visit/inspect/investigate in the area other than his local limits.

5.5 Inspection of weight or measure

In addition to clause 5.2 above the LMO shall take following steps while inspecting weight or measure and packaged commodity:

- i) Inspect any record, register or other document relating thereto.
- ii) The Legal Metrology Officer shall obliterate the stamp on any weight or measure, if it is found during inspection that:
 - a) any weight or measure which being due for re-verification has not been submitted for such re-verification;
 - b) any weight or measure which does not conform to the Standards established by or under the Act;
 - c) any weight or measure which, since the last verification, stamping and sealing has been repaired or readjusted;
 - d) 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 **Schedule-X** of Maharashtra Legal Metrology (Enforcement) Rules, 2011 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:

- i) if user fails to remove the defect or error within that period, obliterate the stamp, or

- ii) if the defect or error is so removed as to make the weight or measure conform to the standards established by or under the Act, verify, stamp and seal such weight or measure.
- iii) if it is noticed by the LMO 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 Proforma as given in **ANNEX V**. 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
- iv) Thereafter the LMO shall take necessary action including prosecution under the relevant provisions of the Act and Rules.
- v) 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 LMO should take steps such as seizing of weight or measure, booking offence under relevant Rules.
- vi) During the inspection if short delivery or excess demand, by weight, measure or number or services obtained/rendered is noticed, the LMO should take action as per Act/Rules.
- vii) 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.

5.6 Inspection of Packaged Commodities

5.6.1 While inspecting the premises of Manufacturer, Packer or Importer the LMO shall,

- i) ask to produce registration certificate of Manufacturer, Packer or Importer.
- ii) check the declarations, on the packages ready for dispatch.
- iii) check the net content of the packages as per Rule 19 of Packaged Commodities Rules.

5.6.2 While inspecting the premises of wholesale dealer or retail dealer, the LMO shall:

- i) check the declarations on the packaged commodities
- ii) check whether there is any alteration, obliteration, and/or smudging on MRP declared on the packages
- iii) 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
- iv) in case no receipt is given on demand or incorrect receipt is given, punchnama shall be prepared in presence of two witnesses and action should be initiated as per Act and Rule
- v) Check the net content of the packages, on complaint or if there is any reason to suspect that any package has been tampered with as per Rule 21 of PCR.

However, normally without complaint, no net content checking of packages shall be carried out in the premises of retailer/wholesale dealer.

5.7 Office inspection

The main objective of the office inspection is to monitor the work done by the respective Legal Metrology Offices. Inspection should be done with a view to rectifying/minimizing the irregularities in day-to-day work and also as a precautionary measure. This should be carried out once in a year. This should be done in a planned manner and with predefined programme approved by higher authority. This programme should be devised well in advance. Inspection report should be forwarded to the concerned Legal Metrology Officer for compliance and copy of the same should be submitted to the higher authority within a week in the format given in ANNEX VI.

5.7.1 Office of Inspector of Legal Metrology

Inspection of the office of the Inspector of Legal Metrology shall be done by the District Assistant Controller/Regional Deputy Controller and Controller's Office. Taking this into account District Assistant Controller should submit his inspection programme for all the divisions within his district to the Regional Deputy Controller in the month of April every year.

Regional Deputy Controller should arrange his inspection programme considering the programme submitted by District Assistant Controller. He shall earmark at least two offices of the Inspector of Legal Metrology for inspection by him and accordingly he should approve the programme of Assistant Controller, copy of which should be submitted to the Controller.

5.7.2 Office of the Assistant Controller of Legal Metrology

Inspection of the Office of the Assistant Controller of Legal Metrology shall be done by the Regional Deputy Controller and Controller. Taking this into account Deputy Controller should submit his inspection programme of the offices of the District Assistant Controller and at least two Inspector within his region to the Controller's Office for approval.

Controller's Office should arrange its inspection programme considering the programme submitted by the Regional Deputy Controller. Controller's Office shall earmark at least one District Assistant Controller's Office and some of the offices of Inspectors of Legal Metrology for inspection and accordingly approve and communicate to that effect to the concerned Deputy Controller.

5.7.3 Office of the Deputy Controller of Legal Metrology

Inspection of the office of the Deputy Controller of Legal Metrology shall be done by the Controller's Office.

5.7.4 General instructions for submitting, finalizing and carrying out inspection programme

- i) District Assistant Controller should submit his inspection programme up to 15th April of every year
- ii) Regional Deputy Controller should approve the programme submitted by Assistant Controller and submit his inspection programme to the Controller's Office up to 30th April of every year
- iii) Controller's Office should approve inspection programmes submitted by Deputy Controller and also finalize its office programme up to 31st May of every year

- iv) Controller's Office should carry out the inspection of all the Regional Deputy Controller's Offices, at least one District Assistant Controller's Office of each region and some of the offices of the Inspectors
- v) Deputy Controller's Office should carry out the inspection of the District Assistant Controller's Offices and at least two offices of the Inspector of Legal Metrology in his Region
- vi) at the time of finalizing the inspection programme it should be ascertained that all the Legal Metrology offices in the State should be inspected at least once every year
- vii) while carrying out the inspection the period of inspection should be determined after the period for which earlier inspection was done
- viii) the Inspection Officer before starting the inspection work will take into account the compliance of remarks passed in the previous inspection
- ix) in no case inspection should be carried out of the offices in the period during which inspection is carried out by higher authority.

CHAPTER VI

Prosecution, Investigation, Compounding, Clubbing and Closing of Cases

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CHAPTER VI

Prosecution, Investigation, Compounding, Clubbing and Closing of Cases

6.1 Entry in the prosecution registers

During the inspection, if the LMO comes to the conclusion that an offence which is punishable under the Act or Rules has been committed by trader, manufacturer, packer or user, as the case may be, the LMO can consider the seizure receipt and the Panchnama. He must take detailed entries on the same day or next working day in the register kept in the office. The format for the register is given in **ANNEX VII**. The LMO should note registration of offence, etc. in their Daily Summary Report .

In case, there are more than one sections violated, only one case should be registered against the offender in the register. After investigation if it is found that there are more persons such as dealer, supplier, wholesale dealer, C&F agent, manufacturer/packer/importer, etc. involved in the same offence, they can be made accused on receipt of evidence. Thereafter, LMO should take entries in the DSR as well as in the Case Register of the same at the date on which evidence is received.

If the name and address of manufacturer/packer/importer appears on the seized packages, case against the same should be registered in Case Register on the date of seizure. While taking entries of dealer, supplier, etc. the reference of original case number of related case should be mentioned. If total products seized from a single establishment for violation of different sections/rules, are more than one, then also only one case against the defaulter firm should be registered in Case Register.

6.2 Investigations

Investigation is essential before prosecuting the accused for the offences which they have allegedly committed under the Act and Rules. Therefore, while investigating, LMO shall consider the following points:

- i) if the accused firm is a proprietary concern, and if Shops and Establishments Act is applicable, LMO shall obtain/procure valid copy of Shops and Establishments Act licence. Where shop Act is applicable, but licence is not available, LMO shall procure any such licence/document issued by competent authority, which indicates the status of the firm and name of the owner. In case, where Shops and Establishments Act is not applicable, LMO shall take undertaking from the accused regarding the ownership of the firm.
- ii) if the accused firm is a partnership concern, LMO 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 licence/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, the LMO 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.

- iv) in the case where packaged commodities are seized from the retailer, LMO shall procure purchase bills/cash memo/delivery challans and details of dealer/distributor/packer/manufacturer/importer of the said goods.
- v) as per documents procured from the retailer, LMO shall find out names and addresses of all accused in the said case and prepare correspondence to the dealer/distributor/packer/manufacturer/importer. During investigation he may avail the facility of email and various websites (website of registrar of company). He may also take help from concerned police station and concerned LMO of that jurisdiction. In the case where accused is located outside the State, he shall make correspondence to the Controller of that State through the Assistant Controller of the concerned District.
- vi) LMO shall investigate with help of licences issued by Legal Metrology or other concerned authorities.
- vii) in case, where smudging of price on the package commodity is observed, LMO shall investigate as to who has smudged the price. If the retailer has smudged the price then the fact should be mentioned in the consent letter.
- viii) if the case is booked in warehouse, LMO shall inquire about the ownership of the warehouse. If the warehouse is on rental basis he shall obtain copy of agreement and fix the responsibility of the offence accordingly.

ix) procedure for obtaining name and addresses of accused (**format - ANNEX VIII**)

- a) The Inspector should report the facts to the District Assistant Controller while the District Assistant Controller should write to the concerned District Assistant Controller with the request to find out and make available the details of the accused.
- b) In case, the accused is from outside the State, the District Assistant Controller should write to the Controller of the concerned State requesting for the name and address of the concerned.

6.3 Compounding of an offence

- i) the LMO shall ascertain whether the offence committed by the accused is compoundable.
- ii) for deciding, whether a particular offence is first or second, detailed violation should be considered, e.g., if first offence detected and compounded, was for not writing date of manufacture and an offence subsequently detected was for not writing e-mail address. If these offences are committed within a span of three years and violated the same section 18 of The Legal Metrology Act, 2009, then it will be treated as first offences.
- i) period of three years should be counted from the date on which compounding amount for the first offence was deposited.
- ii) Inspector shall send notice to the accused within ten days in the format given in **ANNEX IX** from the date of offence.
- iii) on the receipt of reply/request for compounding the offence, the LMO shall submit the proposal in the format given at **ANNEX X**

along with necessary documents to the compounding authority through proper channel within 7 days from receipt of such request. The concerned District Assistant Controller should scrutinize the proposal and should seek compliance from the Inspector, if any, and forward the proposal to Deputy Controller along with his remarks within three working days.

- iv) on receipt of the proposal for compounding, the compounding authority after examining the case in detail should pass the order within 15 (fifteen) days in the format given in **ANNEX XI**. The compounding authority while determining the amount of compounding fees shall have regard to the seriousness, nature of the offence and evidence on record. The compounding authority shall take necessary entries in the compounding case register as given in **ANNEX XII**. The order passed shall be forwarded to the concerned LMO for serving the same to the accused within 7 (seven) days. The compounding order in respect of accused from outside the State should be in English.
- vii) if the compounding fee in compliance of the order is not deposited within the time as specified in order, the LMO should file the case in the court of law, within the period of limitation.
- i) if no reply from the accused is received within the stipulated time limit then the LMO shall file prosecution case in the court of law.

6.4 Clubbing of cases

It is a settled principle of Law, that no person should be punished multiple times for commission of same offence. In view of this, clubbing of offences becomes necessary.

If a number of cases are booked in relation to the same commodity in packaged form of the same person or company, by different inspectors for violation of the same section/rule under the Act and Rules, all such cases may be clubbed together and treated as a single offence and compounded. If a number of such cases are booked in the same region, the Deputy Controller of that region will be the authority to club the cases and if a number of such cases are booked in different regions, then the Deputy Controller (H.Q.) will be the authority to club the cases. The following procedure shall be adopted in this regard.

If the accused requests the clubbing authority, the concerned authority shall call for all case papers from the concerned in each case and scrutinize the same. After scrutiny he shall ascertain whether the product seized in all the cases are for the violation of same section/rules, and thereafter should issue a compounding order mentioning the sum of compounding amount that should be deposited with Inspector of Legal Metrology. The compounding order should be issued to the Inspector who has booked the case at first and where a number of cases are booked on the same day, the compounding order should be issued to the Inspector whose value of seized goods is more. The order should also mention all the other cases booked by other Inspectors of Legal Metrology along with their division and seizure receipt numbers with date.

If the compounding order has already been issued and thereafter accused approaches for clubbing, the compounding authority should ascertain that the violated section/rules of the offence so compounded and of the cases applied for clubbing are the same. In no case clubbing of the same offence should be done after 180 days from the date of registration of first offence.

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

- i) a request letter from the concerned offender for clubbing
- ii) a copy of seizure receipt of the case which is already compounded
- iii) a copy of compounding order, and
- iv) 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.

Deputy Controller on receipt of such proposal from different Inspectors should take into consideration all documentary proofs and take decision regarding clubbing of the cases and pass an order to that effect within 15 (fifteen) 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 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.

6.5 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 on address, left address, in such cases the following procedure shall be adopted:

- i) if the accused is in local jurisdiction of the Inspector and he is not traceable, the LMO should visit the place of the accused and make an enquiry for tracing him. If he is not traceable, panchnama about the facts should be drawn. The proposal for closing the case should be submitted to the appropriate compounding authority along with such panchnama.
- ii) if the accused is not in his local jurisdiction but if it is within the State, the Inspector should report this fact to the District Assistant Controller and the District Assistant Controller should write to the concerned District Assistant Controller with the request to find out and make available the details of the accused.
- iii) if the accused is from outside the State, the Inspector should report this fact to the District Assistant Controller and the District Assistant Controller should write to the Controller of the concerned State with the request to find out and make available the details of the accused.
- iv) the Inspector should take 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.

- i) 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.
- ii) 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.
- iii) if the compounding authority is Deputy Controller or Assistant Controller as the case may be, he on examining the report of the Inspector, other material facts and circumstances of each case, may pass an order for closing the case and forward a copy to higher authority. It may be clarified in the order that the seized goods shall be returned to the person from whom it was seized on payment of compounding fees.
- viii) 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”.

6.6 Closing of case

On investigation, if it is found that the product seized is duplicate/spurious and/or that no case is made out, then the Inspector shall submit the proposal for closing the case to the Controller through proper channel. The proposal shall be critically analyzed and forwarded with clear remarks of the concerned Legal Metrology Officer for closing the case. The reasons for closing the case must be mentioned in the order

with proper justification. The decision taken should be communicated to the concerned Legal Metrology Officer and the person involved.

6.7 Filing a case in the court of law

If the offence is non-compoundable, the complaint shall be filed in the court of law within the period of limitation.

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:

- i) before filing a case in the court of law, the Inspector shall intimate the accused in writing in the format given in **ANNEX XIII**
- ii) 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
- iii) if there is no possibility of compounding the offence, the Inspector should file the complaint in the format as given in **ANNEX XIV**, in the court, along with copies of necessary documents
- iv) 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

- v) 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 **ANNEX XV**
- vi) 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
- vii) 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
- viii) after the decision of the court, a proper note should be taken in the Prosecution Register
- ix) 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.

6.8 Disposal of seized articles

Seized articles or goods shall be disposed of in the manner as provided in Rule 17 of Maharashtra Legal Metrology (Enforcement) Rules, 2011. No seized goods or articles shall be disposed of if the court proceeding is pending. In absence of specific court order, Inspector should deal with it as per the orders of Controller.

CHAPTER VII

Licences and Registration

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CHAPTER VII

Licences and Registration

As per section 23 of The Legal Metrology Act, 2009 licence to manufacture, repair and sale of weight or measure is necessary. However, no licence to repair shall be required by a manufacturer for repair of his own weight or measure in a State other than the State of manufacture of the same. In such case the manufacturer has to inform in advance to the concerned LMO about the repairing.

Every licence to manufacture, repair and sale of weight or measure shall be granted in accordance with the provisions of Rule 6 of The Maharashtra Legal Metrology (Enforcement) Rules, 2011. Application form for the same is as given in Schedules (see **Chapter XIV**) .

7.1 Licence to manufacture

Deputy Controller (H.Q) can issue licence to manufacturer of weight or measure as per the Notification No. LMO/2010/410/C.R.175 (Part 2)/C.P.4 dated 18th June 2011, on application in form LM-1. After receipt of application, the Deputy Controller (H.Q), shall scrutinize the application and documents attached therewith and assign the work of further investigation to any Legal Metrology Officer from the area where the manufacturing unit is situated.

After receipt of investigation report, if the licencing authority is of opinion that licence can be issued considering 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

licencing 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 licencing authority immediately within next three working days. After successful completion of technical ability test, the licencing authority should communicate to the applicant for depositing the requisite fees.

While investigating, the following points should be taken into consideration:

i) Verification of application along with supportive documents in respect of:

a) Premises: If the premises is/are owned by the applicant(s) himself/herself/themselves, the documents such as Tax receipt of local body/authority shall be verified. If the premises is/are owned by any other family members, their consent letter duly notarized along with document of ownership shall be verified. If the premises is/are rented, the copy of registered agreement shall be verified.

It is advisable that the investigating officer while recommending the proposal shall make specific remarks in respect of the area occupied by such unit. It is desirable that the area of such unit is about 100 square metres.

b) Establishment: any document such as certificate of registration of industry, registration under Shops and

Establishments Act, if the unit is located within the village panchayat area, then NOC from that gram panchayat.

- c) Constitution: in case of proprietorship/partnership firm, registered document, in case of company, registration certificate under Companies Act along with copy of Article of Association and Memorandum of Association.
- d) Nature of business: licences, if any, required and obtained in case of other nature of business.
- e) Type of weight or measure: certificate of model approval, wherever applicable.
- f) Employees: copies of appointment letters with photographs, qualification and experience certificate, if any.
- g) Trade Mark/Monogram: registration certificate from competent authority.
- h) Machinery, tools and accessories: list with purchase bill.
- i) Electrical energy: latest electricity bill.
- ii) after verification and investigation in details, the inspecting officer shall submit a report along with the application with his findings, recommendation and observation within 15 days to the concerned authority
- iii) the inspecting officer should follow the guidelines issued in this respect from time to time by the Controller of Legal Metrology
- iv) after due consideration of the report received from the inspecting officer and the report from the committee for technical ability test, if the licencing authority, arrives at the conclusion and is satisfied that the applicant fulfils all the requirements, his/her application should be considered for grant of licence

- v) the decision of the licencing authority shall be communicated to the applicant asking him/her to deposit the licence fee as prescribed in Schedule IV of The Maharashtra Legal Metrology (Enforcement) Rules, 2011
- vi) after receipt of licence fee, the licencing authority shall issue licence in respective form within 7 days
- vii) if, the licence is refused due to non-compliance of all or any of the requirements, the decision duly reasoned shall be communicated within 7 days to the applicant
- viii) the process of issuing licence, as far as possible, shall be completed within the scheduled time given in the Citizen Charter
- ix) intimation regarding issuance of licence shall be communicated to the concerned Legal Metrology Officer for information and record
- x) the licencing authority shall transmit the certified photocopy of file pertaining to licence to the concerned Legal Metrology Officer, who has been authorized/empowered to renew such licence, in order to enable the said officer to consider the application for renewal.

7.2 Licence to repair

The licencing authority can issue licence to repair weight or measure as per the Notification No. LMO/2010/410/C.R.175 (Part 2)/C.P.4 dated 18th June 2011, on application in form LR-1. After receipt of application, the licencing authority shall scrutinize the application and documents attached therewith and shall assign the work for further investigation and

compliance to any Legal Metrology Officer from the area where the repairing workshop is situated.

After receipt of investigation report, if the licencing authority is of opinion that Licence can be issued considering 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 licencing 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 licencing authority immediately within next three working days. After successful completion of technical ability test, the licencing authority should communicate to the applicant for depositing the requisite fees.

While investigating/inspecting, following points shall be taken into consideration:

- i) Verification of application along with supportive documentary proofs in respect of:
 - a) Premises: If the premises is/are owned by the applicant himself/herself, the documents such as Tax receipt of local body/authority shall be verified. If the premises is/are owned by any other family members, their consent letter duly notarized along with document of ownership shall be verified. If the premises is/are rented, the copy of registered agreement shall be verified.

It is advisable, that the investigating officer while recommending the proposal shall make specific remarks in respect of the area occupied by such unit. It is desirable that the area of such unit is about 20 square metres.

- b) Establishment: any document such as certificate of registration of industry, registration under Shops and Establishments Act, if the unit is located within the village panchayat area, then NOC from that gram panchayat.
- c) Constitution: in case of proprietorship/partnership firm, registered document, in case of company, registration certificate under Companies Act along with copy of Article of Association and Memorandum of Association.
- d) Nature of business: Licences, if any, required and obtained in case of other nature of business.
- e) Type of weight or measure:
- f) Employees: copies of appointment letters with photographs, qualification and experience certificate, if any.
- g) Machinery, Tools and Accessories: list with purchase bill.
- h) Electrical energy: latest electricity bill.
- i) Loan/Test Article – purchase bill in case of new, verification certificate.
- ii) the investigating officer should make specific observations as to whether Loan/Test Article are sufficient or not
- iii) after verification and investigation in details, the inspecting officer shall submit a report along with the application with his findings, recommendation and observation within 15 days to the concerned authority

- iv) the inspecting officer should follow the guidelines issued in this respect from time to time by the Controller of Legal Metrology
- v) after due consideration of the report received from the inspecting officer and the report from the committee for technical ability test, if the licencing authority, arrives at the conclusion and is satisfied that the applicant fulfils all the requirements, his/her application should be considered for grant of licence
- vi) the decision of the licencing authority shall be communicated to the applicant asking him/her to deposit the licence fee and security deposit as prescribed in Schedule IV and Schedule VI, respectively of The Maharashtra Legal Metrology (Enforcement) Rules, 2011
- vii) after receipt of licence fee, the licencing authority shall issue licence in respective form within 7 days
- viii) if, the licence is refused due to non-compliance of all or any of the requirements, the decision duly reasoned shall be communicated within 7 days to the applicant
- ix) the process of issuing licence, as far as possible, shall be completed within the scheduled time given in the Citizen Charter
- x) intimation regarding issuance of licence shall be communicated to the concerned Legal Metrology Officer for information and record
- xi) the Licencing authority shall transmit the certified photocopy of file pertaining to licence to the concerned Legal Metrology Officer, who has been authorized/empowered to renew such licence, in order to enable the said officer to consider the application for renewal.

xii) in the following cases, the Deputy Controller (H.Q.) being the licencing authority shall follow the same procedure as above:

- a) where manufacturer is also repairer
- b) where the area of operation is in more than one region within the State of Maharashtra.

7.3 Licence to dealer

The licencing authority can issue licence to dealer of weight or measure as per the notification No. LMO/2010/410/C.R.175 (Part 2)/C.P.4 dated 18th June 2011, on application in form LD-1. After receipt of application, the licencing authority shall scrutinize the application and documents attached therewith and assign the work for further investigation and compliance to any Legal Metrology Officer from the area where the establishment is situated.

While investigating/inspecting, following points shall be taken into consideration:

- i) Verification of application along with supportive documentary proofs in respect of :
 - a) Premises: If the premises is/are owned by the applicant himself/herself, the documents such as Tax receipt of local body/authority shall be verified. If the premises is/are owned by any other family members, their consent letter duly notarized along with document of ownership shall be verified. If the premises is/are rented, the copy of registered agreement shall be verified.

It is advisable, that the investigating officer while recommending the proposal shall make specific remarks in

respect of the area occupied by such establishment. It is desirable that the area of such unit shall not be less than 10 square metres.

- b) Establishment: any document such as certificate of registration of industry, registration under Shops and Establishments Act, if the unit is located within the village panchayat area then NOC from that gram panchayat.
- c) Constitution: in case of proprietorship/partnership firm, registered document, in case of company, registration certificate under Companies Act along with copy of Article of Association and Memorandum of Association.
- d) Licences : VAT/CST/ Sales Tax/Professional Tax/Income Tax
- e) If the applicant intends to import weight or measure: Model Approval Certificate and Registration as Importer of weight or measure.
- f) Electrical energy: latest electricity bill.
- ii) after verification and investigation in details, the inspecting officer shall submit a report along with the application with his findings, recommendation and observation within 15 days to the concerned authority
- iii) the inspecting officer should follow the guidelines issued in this respect from time to time by the Controller of Legal Metrology
- iv) after due consideration of the report received from the inspecting officer, if the licencing authority, arrives at the conclusion and is satisfied that the applicant fulfils all the requirements, his/her application should be considered for grant of licence

- v) the decision of the licencing authority shall be communicated to the applicant asking him/her to deposit the Licence fee as prescribed in Schedule IV of The Maharashtra Legal Metrology (Enforcement) Rules, 2011
- vi) after receipt of licence fee, the licencing authority shall issue licence in respective form within 7 days
- vii) if, the Licence is refused due to non-compliance of all or any of the requirements, the decision duly reasoned shall be communicated within 7 days to the applicant
- viii) the process of issuing licence, as far as possible, shall be completed within the scheduled time given in the Citizen Charter
- ix) intimation regarding issuance of licence shall be communicated to the concerned Legal Metrology Officer for information and record
- i) where manufacturer is also dealer, the Deputy Controller (H.Q.) being the licencing authority shall follow the same procedure as above.

7.4 Renewal of licences

With a view to ascertaining that the process of renewal of licence should be invariably completed on or before 1st January of those applications which have been received by him on or before 1st of December, the licence renewal authority should organize a co-ordinated programme. A copy of this co-ordinated programme should be submitted to the next higher authority.

7.4.1 While designing the co-ordinated programme following points shall be considered:

- i) forward the application in such a way that the investigation officer should receive the application on or before 3rd December
- ii) receipt of investigation reports by renewing authority should be received on or before 15th December

7.4.2 While renewal of licence following points shall be considered:

- i) it is mandatory under the rules that the licensee should make an application for renewal of licence at least 30 days before the expiry of validity of licence to the concerned renewal authority in the prescribed format.
- ii) after receiving the application for renewal, the licencing authority shall refer the application to the concerned Inspector for verification and investigation
- iii) after receiving the application for investigation the Inspector shall communicate the date for investigation to the licensee within 3 days. Inspector shall complete the process of verification and investigation and submit the report of the same to the concerned licence-renewing authority within 7 days
- iv) after due consideration of the report received from the inspecting officer, if the licence renewal authority, arrives at the conclusion and is satisfied that the applicant fulfils all the requirements, his/her application should be considered for renewal of licence. In case of the refusal of renewal, the duly reasoned reference shall be communicated to the applicant

- v) if the premises of the licensee is/are on rent/leave licence agreement, renewal of such licence should not be more than one calendar year or up to the date on which such agreement expires, whichever is earlier
- vi) the decision of the licence renewal authority shall be communicated to the applicant asking him/her to deposit the licence fee
- vii) after receipt of licence fee, the licence renewal authority shall renew licence within 7 days. Intimation of issuance of renewal shall be communicated to the concerned Legal Metrology Officer for information and record.

7.4.3 Application for renewal of licence:

No application, after expiry of validity date shall be entertained by the licence renewing authority except the Controller. If the application is allowed by the Controller, the procedure for verification and investigation as prescribed above will be applicable.

7.4.4 While investigating application for renewal following guidelines in addition to the guidelines applicable for issuance of licence shall be followed:

- i) whether the manufacturer or repairer has done minimum manufacturing or repairing work as specified by the Controller?
- ii) whether every licensee has maintained records and registers in appropriate form?
- iii) whether the licensee has submitted periodical reports/returns as specified?

- iv) licence renewal authority or investigating authority shall ensure whether any proceeding under the Act/Rule is pending against the licensee or whether there is any complaint against him/her for misuse or misconduct of licence
- v) if the licence renewal authority arrives at a conclusion that the licence cannot be renewed for any of the reasons stated above, he shall forward the file to the licencing authority for further necessary action. However, such decision shall be communicated to the applicant.

7.5 Alteration in licences

Application for alteration can be disposed of by the authority who has issued such licence. Any alteration except the name of original licensee, in the licence would be permissible only by accepting the application in writing. Considering the verification and investigation reports, in respect of qualification as prescribed in the Rule, technical ability test and all other relevant factors such alteration can be allowed. If the alteration is to be permitted, fees as prescribed shall be charged and recovered from the licensee. After receipt of fees, alteration in the licence shall be done and issued to the concerned within 7 days. Intimation regarding the alteration in licence shall be communicated to the concerned Legal Metrology Officer for information and record.

7.6 Issuance of duplicate licences

If the application is for duplicate licence, the licencing 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

duplicate licence. If the issuance of duplicate licence is permitted, fees as prescribed shall be charged and recovered from the licensee. After receipt of fees, duplicate licence should be issued to the concerned within 7 days.

7.7 Inspections of licensee such as manufacturer, dealer and repairer of weight or measure

Before visiting the premises of licensee for inspections, the LMO should give seven days prior notice to the licensee in the format given in **ANNEX XVI**, along with copy of inspection proforma.

The LMO shall visit the premises on the date mentioned in the notice and carry out the inspection. He should prepare the inspection report in the proforma. After completion of the inspection, the concerned LMO, should forward the inspection report along with his remark to the concerned licencing authority through proper channel for information and necessary action, if any. A copy of the same should also be handed over to the concerned licensee.

During the inspection, if the LMO finds violation of any of the provisions of the Act and Rules, he shall take necessary action as per the Act and Rules.

If inspection is carried out by licencing authority himself, he should take action such as suspension, cancellation of the licence following due procedure of law including prosecution case if there is violation of any provisions of the Act and Rules.

The reports of inspection of manufacturer, dealer and repairer should be prepared in the format given in the **ANNEXES XVII, XVIII and XIX** respectively.

7.8 Registration of Manufacturer, Packer and Importer of Packaged Commodities

Application for registration of manufacturer, packer and importer of Packaged Commodities shall be accepted in the format given in **ANNEX XX** by the Controller or any other officer authorized with specified registration fee.

All limited, private limited and importer firms of Packaged Commodities should be registered at Controller's office and all other establishments should be registered at the District Assistant Controller's office in which establishment is situated.

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 grant the registration certificate in the format given in **ANNEX XXI**. After issuance of the registration certificate, necessary entries in the register kept for the purpose shall be taken in the following format.

Sr. No.	Name of the Applicant	Names of the Proprietor/partners/director	Complete address of the premises	Name of Commodities to be prepacked/imported	Details of fees paid	Registration Number	Shorter address if any registered	Sign
1	2	3	4	5	6	7	8	9

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

For non registration of manufacturer, packer and importer of packaged commodities, legal action as per the provisions under the Act and Rules against the defaulter should be initiated.

Compilation of State-wise list of registered manufacturers, packers or importers is contemplated under Rule 30 of The Legal Metrology (Packaged Commodities) Rules, 2011. Therefore, every Assistant Controller shall submit monthly report consisting of number of registrations, list of manufacturers, packers and other details from the register maintained in the Controller's Office. The Controller's Office shall compile a State-wise list of such registrations and should submit it to the Director, Legal Metrology.

7.8.1 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 taken.

The entry in respect of shorter address shall also be taken by the issuing authority who has issued the packers registration after receiving the communication to that effect from the office of the Controller.

7.9 Registration of Importer of weight or measure

For registration of Importer of weight or measure, application specified in Tenth Schedule under Rule 15 of Legal Metrology (General) Rules, 2011 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.

CHAPTER VIII

Reports

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CHAPTER VIII

Reports

Various periodical reports such as daily, weekly, monthly are required to be prepared, maintained and submitted to various higher authorities from time to time. Some of the important reports are highlighted in consequent sections of this Chapter.

8.1 Daily summary report

Daily summary report is one of the important reports in the Legal Metrology Organization. This helps the controlling officers to monitor the activities of the field officers such as daily work done and time spent, details of prosecutions and summary of daily verification and stamping work and fees collected. This document is also important for sanctioning re-imbursement of travelling allowances of the Inspector and his staff.

Claim for daily allowance for halt at camping centre should be granted by the Assistant Controller of Legal Metrology only if the Inspector carries out actual work at the camp. Brief description of work done as office work in the office should be mentioned in the daily summary report. This report should be submitted for each working day to the concerned Assistant Controller immediately on the next day. The proforma for DSR is given in **ANNEX XXII**.

8.2 Cash balance report

Cash Balance Report (CBR) is an important basic report. It reflects not only cash transactions of Inspector's office but also the statistics of verified weights or measures and fees received and the amount balance, if

any. It is the mirror for the supervising officer to crosscheck the transactions. CBR shall be written by the Field Assistant. CBR shall be written for a week i.e., from Sunday to Saturday and shall be submitted to Assistant Controller immediately after receipt of challans from the authorized banks. The format of CBR is given in **ANNEX XXIII**.

8.3 Monthly report

The Monthly Report in the format as specified from time to time shall be submitted to respective higher authorities as given below:

Monthly report submission to higher authorities

Sr. No.	Name of Office	Report to be submitted to	Date of submission
1	2	3	4
1	Inspector of Legal Metrology	Assistant Controller of Legal Metrology	2 nd working day of month
2	Assistant Controller of Legal Metrology	Deputy Controller of Legal Metrology	3 rd working day of month
3	Deputy Controller of Legal Metrology	Controller of Legal Metrology	4 th working day of month
4	Controller of Legal Metrology	State Government	5 th working day of month

8.4 Campaign report

The campaigns arranged by the higher authorities are to be conducted by the LMOs in their respective jurisdiction. Report in the format given in **ANNEX XXIV** should be submitted to the higher authority immediately on the next day of the completion of the campaign.

8.5 Reconciliation of challans from treasury

All payments received by the LMO towards the verification and stamping of weight or measure, compounding fees and other fees shall be credited to the Government under the appropriate “Head of Account”

(1475001700, 1475-other general economic services (106) fees for stamping weights and measures, other fees, fine and forfeitures)

The Controller's Office and Legal Metrology Officer should submit the challans for reconciliation to the treasury every month in the format given in **ANNEX XXV** and obtain the verified reconciliation report from treasury and submit the copy of verified report to the respective higher authority except by Controller's Office. The Controller's Office and respective higher authority shall consolidate the reports and submit it to the Office of the Financial Advisor and Deputy Secretary of Food, Civil Supplies and Consumer Protection Department.

8.6 Tour diary

The LMO and staff has to travel often in their jurisdiction for implementation of the provisions of the Act and Rules. LMO should submit his tour diary to his superior authority in the format as given below for approval and reimbursement of expenses incurred by him and the staff.

Tour Diary

Name of LMO/Staff _____ Designation _____

is hereby submitting monthly tour diary for the month

_____ for approval.

Division..... District..... Basic

Pay.....

Sr.No.	Departure			Arrival			Distance in km	Vehicle used	Fare ₹	Purpose of journey and place of halt
	From	Date	Time	To	Date	Time				
1	2	3	4	5	6	7	8	9	10	11

Signature of LMO /Staff

8.7 Annual work programme

With a view to planning the expected and actual work to be carried out in a year, it is necessary to prepare yearly work programme. Every divisional Inspector shall prepare annual work programme showing expected amount to be collected and schedule of camping etc. in the format given in **ANNEX XXVI**.

- i) While preparing annual programme, the Inspector should follow guidelines as given below:
 - a) The collection of verification and stamping fees in the previous year should be taken as base for preparing annual programme. However, verification and stamping fees for those weight or measure for which validity period is of two years, amount of fees collected should be deducted in the annual programme of current year and added in the subsequent year.
 - b) While determining the expected collection in relation to traders, 5% increase on collection of fees in municipal

corporation, 3% increase in municipal council and 2% increase in rural areas should be applied on the actual amount collected in previous year.

- c) In case of petrol pump and hawkers, 3% increase respectively will be admissible.
 - d) There will be no increase in case of government, semi-government, post, railway, co-operative societies, manufacturer, dealer and repairer of weight or measure and vehicle tank calibration centre.
 - e) In case of industry, collection of verification and stamping fees is of uncertain nature. Therefore definite amount of verification and stamping fees cannot be predicted while preparing annual programme.
 - f) The amount of fees collected as TA/DA and re-verification fee in respect of weight or measure which are produced for verification multiple times in a year from the users shall not be taken into account for preparation of annual programme.
 - g) The camping centres should be arranged in such a way that it is easy to access for the staff as well as for the clients.
- ii) The Inspector should submit three copies of the annual work programme to the Assistant Controller. The District Assistant Controller should scrutinize and forward the same with his remarks to the Deputy Controller. The Deputy Controller should finalize and approve the annual work programme considering the

programme submitted by the Inspector and remarks of the Assistant Controller.

- iii) After approval copy should be forwarded to the concerned Inspector and Assistant Controller.
- iv) The Inspector should submit annual work programme to the Assistant Controller upto 15th of April, the Assistant Controller should forward the same to Deputy Controller upto 21st April. The Deputy Controller should approve the programme and send the same to the concerned LMO upto 1st week of May.
- v) The yearly work programme should be strictly adhered to by the Inspector. Any change in the approved annual work programme should be with prior approval of the Deputy Controller.

CHAPTER IX

Files and Registers

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CHAPTER IX

Files and Registers

9.1 Files

The compilation of work record enables the Legal Metrology Officer to trace easily the papers in the appropriate file, if standardized. A set of standard files comprising different subjects needs to be maintained. They are described in consequent sections of this Chapter.

9.1.1 Classification, weeding, destruction and preservation of record

In order to have a uniform procedure for classification, weeding, destruction and preservation of record, an A/B/C/C1/D and Z classification is prepared. The said classification is not exhaustive but is illustrative and will be helpful for preservation of records of the Organization.

9.1.2 Completion of files and filing

A case file is said to have been completed, when all matters therein are disposed of and no further action is necessary on the paper and a reply covering all the points is sent to the party who has initiated the case. After making necessary endorsement for closure of the file, the papers may be filed. While filing the papers, all flags, slips, blank paper, duplicate copies, etc. should be removed. All case files should be filed chronologically.

Considering the importance and the period to which the record is likely to be required for reference/disposal, the same should be classified as below and preserved for the period indicated by these letters:

‘A’ - to be preserved indefinitely

‘B’ - to be preserved for 30 years

‘C1’ - to be preserved for 10 years

‘C’ - to be preserved for 5 years

‘D’ - to be destroyed as soon as the purpose is fulfilled or accounts have been audited and accepted. These files should generally be of ephemeral nature and they do not go to the record room.

‘Z’ - placed against a few papers means that they must be classified as A, B, C, C1, D and Z by the Head of Office as they are as variable in importance as to be best decided by the Headquarters only.

The above classification should be made on each case at conspicuous place at the time of recording the filing/closing instructions. Files and papers classified as ‘D’ should be destroyed in the office as and when due for destruction. The files/records classified as C and C1 should be destroyed respectively as soon as five and ten years have elapsed after the year in which they were closed. Files classified as A and B should be preserved properly and classification revised if necessary. Before destroying the files, an index of files should be prepared in the proforma as given below and a note of their destruction should be taken in the file register.

Proforma for indexing of files before their destruction

Sr. No.	File No.	Subject	Date of closing	Classification	Remarks (Reg. Destruction of file, etc)
1	2	3	4	5	6

The destruction of the record should be done under the orders of controlling officers.

In order to carry out proper preservation and destruction, the closed files/records should be sorted out according to years and subjects. The bundles thereof should be kept chronologically according to the classification viz. A, B, C, C1, D and Z. Taking into account the importance of the record and the risk of premature destruction in doubtful cases, such cases/record should be preserved rather than destroyed. The period of preservation should be reckoned by calendar years from the last day of the year during which the records are filed. G.Rs. and circulars should be arranged according to Department and Year while the Government Gazettes received from the Printing and Stationery Department should be arranged according to their parts and pages. Lists should be prepared and index must be kept on the top for every six months.

The following record should not be destroyed on any account;

- i) record connected with expenditure which is within the statute of limitation.
- ii) record connected with expenditure on projects, schemes or works not completed, although beyond the period of limitation.
- iii) record connected with claims to service and personal matters affecting person in service.
- iv) orders/sanctions of a permanent character until revised.

A file movement Register in the following proforma should be maintained for recording the movement of such closed files/records,

whenever it is given to other office on written requisition for some office work. The proforma for movement of closed files/records is given below:

Proforma for movement of closed files/records

Sr. No.	File No. and Year of closing	Subject	Classification	Date of issue and signature of receiving officer	Date of return and Sign of officer who has given the file
1	2	3	4	5	6

The A, B, C, C1, D and Z list for classification etc. of record/files concerning various subjects are enclosed herewith.

9.1.3 List of standard files maintained in the office of the Deputy Controller of Legal Metrology

Sr. No.	Subject	Compilation code No.	Classification
1.	Circulars	DCLM/ Cir/	A
2.	Government Notifications	DCLM/GN./	A
3.	Government Resolution	DCLM/GR./	A
4.	Confidential Correspondence	DCLM/CONF./	A
5.	Correspondence with Government Department	DCLM/GOVT./	B
6.	Monthly Report	DCLM/MR./	C
7.	Correspondence regarding campaign	DCLM/WM/Campaign/	C

8.	Correspondence regarding Travelling Allowance	DCLM/Actts./TA/	A
9.	Correspondence regarding Contingency	DCLM/Actts./Cont/	B
10.	Service file of Deputy/Assistant Controller	DCLM/SI/	C
11.	Service file of Clerks/Field Assistants	DCLM/Clrk/F.A./	C
12.	Service file of Peon	DCLM/Peon/	C
13.	Correspondence regarding Secondary/Working Standards	DCLM/Wkg.Std./	B
14.	Correspondence regarding Complaints	DCLM/Complaint/	C
15.	High Court-Stay orders, judgments	DCLM/HC/	B
16.	Correspondence regarding Money Receipt, Verification Certificate	DCLM/Trd/	C
17.	Correspondence regarding Repairs	DCLM/LR/	C
18.	Correspondence regarding Dealers	DCLM/LD/	C
19.	Correspondence regarding Manufacturer	DCLM/LM	C
20.	Transfer/Posting/Charge reports	DCLM/charge report/	C1
21.	Notes of guidance	DCLM/Notes/	C

22.	Correspondence regarding Dead-stock Articles	DCLM/DSA/	A
23.	Correspondence regarding Stamping Equipment	DCLM/Stamps/	B
24.	Office Inspection by CLM	DCLM/OI/	C1
25.	Office Inspection by A and G	DCLM/OI-AG/	C1
26.	Regarding yearly/two yearly Work Programme and area/camp completion report	DCLM/WP/	B
27.	Disposal of Seized and detained articles	DCLM/S and D/	B
28.	Correspondence regarding Right to Information	DCLM/RTI/	C
29.	Statement of verification of challans by Treasury/Sub-treasury	DCLM/Tr.Ver/	C
30.	Monthly meeting minutes	DCLM/Month MM/	C
31.	Campaign Report	DCLM/Cam. Report/	C
32.	L.A.Q./ L.C.Q	DCLM/LQ/	C
33.	International and National Consumer Day Calibration	DCLM/Com. Day/	C
34.	Correspondence regarding Compounding of the cases	DCLM/Cases/	C
35.	Printing and Supply of formats regarding Legal Metrology Act and Rules	DCLM/Print Act/	C

36.	Reports and Enquiries under miscellaneous matters relating to the Act and Rules	DCLM/Enquiry/	C
37.	Cases Compounded with composition orders	DCLM/Com. Order/	B
38.	Information, publicity, propaganda file. (News relating to Department published in news- paper)	DCLM/Publicity/	C
39.	Deputy/Assistant Controller's Diary	DCLM/Diary/	C
40.	Miscellaneous	DCLM/Misc./	C

9.1.4 List and A, B, C, C1, D and Z classification of records in the office of Assistant Controller

Sr. No.	Subject	Compilation Code No.	Remarks and Instruction	Classification
A) Subjects relating to Administration (Co-ordination)				
1.	Parliament, L.A. and L.C. Questions	ACLM/AQ/	Deal with each and class-them as C-I	C1
2.	Yearly, six monthly and monthly reports	ACLM/MR/	-	C
3.	Sales loss or Write off of dead stock and books	ACLM/DS/	Enter in D.S. Register and in the Register of library books with sufficient particulars.	C

4.	Proposals and Selection of sites, rent fixation, purchase of buildings etc. for Govt. Officers.	ACLM/RPB/	-	C
5.	Assistant Controller's Diary Programme.	ACLM/DP/	-	C
6.	Correspondence regarding Motor Vehicles	ACLM/MV/	-	C
(B) Subjects relating to Establishment				
1.	All establishment matters such as strength of fixed Establishment, scales of Pay, Fixed T.A. and local allowances, status, extent of duties and distribution of jurisdiction.	ACLM/Estb./	Weed well; usually final G.R. suffices.	A
2.	G.Rs. circulars etc.	ACLM/GR/	-	A
3.	Gradation/Seniority lists and Correspondence.	ACLM/SL/	Weed well and keep important papers.	A
4.	Correspondence regarding enquiries about the conduct of staff.	ACLM/Enq/	Weed well and keep important papers and final orders.	B
5.	Service books	ACLM/SB/	These are current records so long as the Officer serves, the 'C' after death or retirement of the Officer.	C

6.	(i) Posting, Transfer, promotions including increment certificates reversions, deputation etc. (ii) Efficiency Bar	ACLM/PTP/	Do not file till posted in S.B. and gradation list, send copy to A.G. --	C1 C
7.	Fixation of Pay	ACLM/ Pay Fix/	After note in S.B.	C1
8.	Cases regarding dismissals, involving resignations, discharges on reduction	ACLM/ Dismis/	--	C1
9.	Charge Reports of Gazetted Officers	ACLM/ Charge/	Either filed by A.G. or noted in S.B.	C
10.	Leave of all kinds except casual leave Account	ACLM/ Leave/	Enter in S.B. and inform A.G. or Accounts Officer; kept with S.B. current so long as the officer is in service	C
11.	Casual Leave register and applications for such leave	ACLM/CL/	After Note in register	D
12.	Departmental and Language Examinations	ACLM/DLE/	Enter in S.B.	C
13.	Grant of Pensions and verification of Service and all other preliminary papers. Cases in which invalid pension have been taken	ACLM/ Pension/	File only after P.P.O. are issued	C

14.	Gratuities	ACLM/Grat/	Whether granted or refused.	C
15.	Medical Examination	ACLM/ Medical/	Medical Certificate to be attached to Pay bill then	D
16.	Sanction of Advances, Motor, Cycle, T.A. Leave salary, house building, advance on transfer etc	ACLM/Adv/	-	C
17.	Training classes for Clerks and other staff	ACLM/ Training Staff/	Enter in S.B.	C
18.	Basic training of Inspector, Assistant Controller	ACLM/ Training LMO/		C
19.	Security Bonds	ACLM/SB/	Keep in safe custody as current P.P. so long as in force then verify every year whether the securities are living and solvent.	C
20.	Annual Statement of Officers attaining 55/58/60 years	ACLM/AG/	Inform A.G. and Government after giving opinion	C
21.	Personal file and confidential reports of gazetted and non-gazetted staff	ACLM/ CR-P File/	-	5 years after death or retirement of the incumbent whichever is earlier.

22.	Cases Regarding Accommodation to Government servants	ACLM/ Acom/	Cases regarding allotment orders made by Govt. or by C.A. Cases regarding General Correspondence	Keep in 'B' personal file. 'D'
23.	Travel concessions to Govt. Servants during regular leave for going to Home Town and Maharashtra darshan	ACLM/TA/ HT-MD/	--	C
24.	Medical re-imbursement to Govt. Servants	ACLM/MR/	--	C
25.	Proposal for additional staff.	ACLM/AS/	If proposals materialize the G.R. and orders will be classed as "A" vide item No. 1 above.	C
26.	Recruitment Rules for Technical and Non-technical posts	ACLM/RR/	Weed well and keep G.T. and important papers.	A
27.	Charge report of Inspector and other employees	ACLM/ Charge ILM/		C
28.	Caste verification	ACLM/CV/		C
29.	Rented office building file for each office	ACLM/Rent/		A
30.	Right to Information Act correspondence	ACLM/RTI/	After giving information and entering in register	C
31.	Election duty and correspondence	ACLM/ Election/		D

32.	Office Inspection report by Controller and Dy. Controller	ACLM/ Insp-DC/AC/	After compliance report	C
33.	Office of Inspection report by Finance Advisor and Deputy Secretary	ACLM/ Insp-F & DS/	After compliance report	C1
34.	Inspector’s office Inspection report	ACLM/ Insp-ILM/	After compliance report	C
35.	Complaints from public and correspondence	ACLM/ Complaint/	After entering in register and disposal	C
(C) Subjects relating to Registry				
Sr. No.	Subject	Remarks and Instruction		Classification
1.	Inward Register for receipt of tapal			C
2.	Outward Register			
3.	Local dispatch book			
4.	Register for distribution of tapal among the Staff members			
5.	Accounts of Service postage stamps. Forms A and B Post and Telegrams Dispatch Registers			C C D
6.	Orders about assignment of duties to class-III and IV personnel for Registry work			D
7.	Dead Stock registers including instruments and tools	In current use. When new register is prepared, keep old one as A		A

8.	Purchase, transfer of furniture and other items	Enter in register with sufficient particulars	C
9.	Sale, loss or write-off of dead stock	Enter in register with sufficient particulars	C
10.	Disposal of waste papers and obsolete records	After audit keep as C	C
11.	Annual Indent for stationery articles and forms		C
12.	Distribution of stationery articles in office	Register may be kept for the purpose	C
13.	Requisition and supply of standard registers		C
14.	Printing of special forms and supply thereof		C
15.	Indent of desk diaries, wall calendars and rubber stamps		D
16.	Indent of supply of uniforms to (i) Class IV personnel, (ii) Drivers and Cleaners, (iii) Sweepers	After audit objections are complied with	C
17.	Standing orders for supply of uniforms to Class IV personnel		A
18.	Miscellaneous correspondence with regional offices pertaining to supply of stationery		D
19.	Daily reports of the work done and cases pending in the typing pool		D
20.	Telephone call register		C
21.	Movement register		C
22.	Right to Information Act		B

23	Complaint Register		C
24	Packers Register		A
(D) Subjects relating to Organization and Method			
1.	Securing and arranging of office accommodation	Weed well, final orders of sanctions, authorities to be kept as A	A
2.	Muster roll for Class III and Class IV personnel		D
3.	Memos regarding discipline and cleanliness in office		D
4.	Inspection reports of regional offices	After full compliance of I.R. keep.	B
5.	Staff meetings	Proceedings be kept as C	C
6.	Correspondence regarding arrangements for training of Gazetted Officers, Inspectors and Staff	Weed well and keep	C
7.	Govt. Resolutions and circulars etc. and office instructions issued in respect of preservation, weeding and destruction of Records		A
8.	Preparation and maintenance of the A/B/C/D. classification of records	After printing keep this as D	D
9.	Registers in respect of (i) preservation, (ii) weeding and destruction of records	Current. After the registers are full, then as A.	A

(E) Subjects relating to Accounts			
1.	i) Pay bills of Govt. servants and leave returns. ii) Pay bills of other classes of Govt. servants and acquaintances on Rolls when maintained separately		35 years 10 years
2.	i) Sanction to advances from G.P. Fund ii) Eligibility and condition of subscriptions to G.P.F. and nomination of beneficiaries. (Not standing orders) iii) General Provident Fund Receipt Register	Communicated to treasury and quoted on voucher. Orders will be noted in the A.G's office (when not deducted from bills). A.G. keeps record and sends annual statements to each subscriber.	C C C
3.	a) i) Office copies of schedules of G.P.F. (ii) Final withdrawal from G.P.F. b) Final withdrawal from G.P.F. by persons other than subscriber. D.C.P.S. c) Correspondence subsidiary of the above		C1 B C1
4.	Service books		5 years after death or retirement of the incumbent whichever is earlier.

5.	Increment Register		A
6.	Ledger regarding grant of loans		A
7.	Correspondence regarding reconciliation of loans		A
8.	i) Office copies of budget estimates and revised estimates with their schedules and appendices (Statement of new and unusual items.)		B
	ii) All notes regarding budgets from Sub-offices		D After incorporation.
	iii) Printed budget received from Govt. or A.G. Appropriation Correspondence, extra grants and surrenders	Keep in use for expropriation etc. till expiry of financial year and then at the end of financial year.	B D
9.	Appropriation Accounts.		B
10.	Reconciliation of expenditure and Receipts under heads 3475 and 1475 and monthly reports	After Reconciliation, it may be kept as C	C
11.	Register of Permanent Advance		C
12.	Cash Book		B
13.	T.A. Bills and correspondence	After compliance of audit objections	C
14.	Contingent Bills and Contingent Register		C
	Office rent and taxes		
	Telephone, Water and electricity		
	Rented vehicle bill		
	Leave travel concession and		

	home town bills		
	Festival advance bill		
	Computer advance bills		
	Motorcycle and vehicle loans		
	House building advance bills		
	Motorcycle and vehicle loans		
	Medical Reimbursement		
15.	Income Tax Returns of Officers	Returns of gazetted officers will be kept in personal file of the Officer concerned. Other returns to be kept as 'C'	C
16.	Vouchers (if not sent with Bill)	Must be marked 'cancelled'.	C
17.	Challan	File separately for each receipt register.	C
18.	Audit Reports	After finalization of audit objection	C
19.	Bill register	-	C
20.	Cheque Book Register	-	C
21.	Statements of Expenditure/Receipts	-	C
22.	Correspondence regarding Book Adjustment of revenue	-	C
23.	Recovery of extra payment	After audit inspection	B
24.	Computer supply and maintenance		B
25.	Finance and statistical department file		C
26.	Correspondence with treasury office and bank		D

(F) Subjects relating to Weights and Measures.			
1.	Legal Metrology Act, 2009 and Notifications thereunder		A
2.	Rules made under Legal Metrology Act, 2009 and Notifications thereunder		A
3.	Printing of forms, circulars and supply of forms and The Legal Metrology Act and Rules made thereunder.		C
4.	Prosecution cases under Weights and Measures Act and appeal, if any:		C
	i) Sanctions in respect of appeal in progressive cases		C
	ii) Judgments of appeal		B
	iii) Register of prosecution cases.		B
5.	Results of verification of working/Secondary/Ref. standards of Weight or Measure, Used Daily Summary Reports, Cash Book Reports, Monthly Reports, Verification Certificate Books, yearly and two-yearly Work Programme, Camp Completion reports		C
6.	Correspondence registers, issue of Licence to manufacturer, dealers and repairers	Renewable each year Register is kept as current and other records to be classified as C	C
7.	Delegation of powers under the Act.		A
8.	Purchase and supply of tools, equipment, leather bags etc., to inspectorial units	Enter in D.S. Register and classify the records as C.	C

9.	Conference of Controller of Legal Metrology	Weed well minutes and Govt. orders will remain as B.	B
10.	Monthly meetings with Deputy Controller and Inspector	Weed well minutes	C
11.	Statistical Information, informative notes etc. of Weight or Measure.		C
12.	Purchase of dead stock articles.	After entry in D.S. Register.	C
13.	Sanction of rent to permanent and temporary premises.		Z
14.	Reports and Enquiries under miscellaneous matters relating to the Act and Rules.	If they cannot be classed under any of the items.	Z
15.	Cases compounded with composition orders	After making necessary entries in case register	C1
16.	Cases compounded by Dy. Controller with composition orders	After making necessary entries in case register	C1
17.	Correspondence regarding compounding of cases	After closing the case	C
18.	Distribution of stamp and dies	After making necessary entries in register	C
19.	Information, publicity propaganda file, news relating to department, published in news-papers		D
20.	Weight or Measure manufacturer file (manufacturer wise)		A
21.	Weight or Measures repairer file (repairer wise)		A

22.	Weight or Measure dealer file (dealer wise)		A
23.	Packer's registration file	After making necessary entries in register	C
24.	List of petrol pumps, weigh-bridges and industrial establishments in the jurisdiction		B
25.	National and international consumer day celebration		D
26.	Special drive for inspection of seeds, pesticides and fertilizers dealer, petrol pumps dealers, Diwali festival, sugar factories and others special drives		D

9.1.5 List of files maintained in the office of the Inspector

The following is the list of files to be maintained at the Inspector's office. This list also provides the compilation code numbers with respect to the particular file.

No.	Subject	Compilation code No.
1.	Circulars	ILM/Cir./
2.	Government Notifications	ILM/GN. /
3.	Government Resolution	ILM/GR. /
4.	Confidential Correspondence	ILM/CONF./
5.	Correspondence with Government Department	ILM/GOVT./
6.	Correspondence with Railway/Post	ILM/RLY./

7.	Correspondence with Industrial Establishment	ILM/IE. /
8.	Correspondence with Petroleum Dealer	ILM/PTL
9.	Monthly Report	ILM/MR. /
10.	Correspondence regarding campaign	ILM/WM/Campaign
11.	Correspondence regarding Travelling Allowance	ILM/Accts./TA
12.	Correspondence regarding Contingency	ILM/Accts./Cont
13.	Correspondence regarding Rent	ILM/Accts./Rent
14.	Service file of Inspector	ILM/SI. /
15.	Service file of Field Assistant	ILM/FA. /
16.	Service file of Peon	ILM/Peon. /
17.	Correspondence regarding Working Standards	ILM/Wkg.std/
18.	Correspondence regarding Complaints	ILM/Complaints/
19.	Cases pending with Inspector	ILM/Pend.Ins/
20.	Cases pending with Court	ILM/Pend.Court/
21.	Cases departmentally Compounded	ILM/Dept.Comp/
22.	Cases decided in Court	ILM/Court.decd/
23.	High Court-Stay orders, judgments	ILM/HC/
24.	Correspondence with Traders	ILM/Trd/
25.	Correspondence regarding Money Receipt, Verification Certificate	ILM/MR.VC/
26.	Correspondence regarding Repairs	ILM/LR/
27.	Correspondence regarding Dealers	ILM/LD/
28.	Correspondence regarding Manufacturers	ILM/LM/

29.	Transfer/Posting/Charge reports	ILM/Charge Report
30.	Notes of guidance	ILM/Notes/
31.	Correspondence regarding dead-stock articles	ILM/DSA/
32.	Correspondence regarding Stamping Equipments	ILM/Stamps/
33.	Office Inspection by ACLM/DCLM/CLM	ILM/OI/
34.	Office Inspection by A.G.	ILM/OI-AG/
35.	Regarding Two-yearly Work Programme and area/camp completion report	ILM/WP
36.	Disposal of seized and detained articles	ILM/S & D/
37.	Correspondence regarding Right to Information	ILM/RTI/
38.	Statement of verification of challans by Treasury/Sub-treasury	ILM/Tr.Ver/
39.	Monthly meeting minutes	ILM/Month MM/
40.	Campaign Report	ILM/Cam.Report/
41.	L.A.Q.	ILM/LAQ/
42.	Miscellaneous Correspondence	ILM/MISC/
43.	File of applications for non use of weight or measure	ILM/non use/w.m/

9.1.5.1 Classification of files in the office of the Inspector

Sr. No.	Record of	Category
1.	Monthly Report	C
2.	L.A.Q.	C
3.	Circulars	A
4.	Leave applications/ Register	C
5.	Inward/Outward Register	C
6.	Account register of postage stamps	C1
7.	Dead stock register and its correspondence	A
8.	Muster Roll Register	C
9.	Late muster register and its correspondence	C
10.	Office Inspection and its correspondence	C1
11.	Register of Prosecution	B
12.	Closed Prosecution cases (compounding, court etc.)	B
13.	Verification of Working Standards	C
14.	Correspondence of Working Standards	B
15.	D.S.R.	C
16.	C.B.R.	C
17.	Used verification certificate books	C
18.	Used seizure books	C1
19.	Register of Account –V.C/M.R./Seizure Book	C
20.	Used Money Receipts books	B
21.	Challans – Verification and Stamping Fees/compounding amount / Duplicate V.C/other fees	B
22.	Challan Register	C
23.	Reconciliation statement from Treasury	B
24.	Yearly Programme	C
25.	Camp shifting/completion Reports	C

26.	Notices issued to users	D
27.	3-A Notices	D
28.	Files of Licencee with correspondence (Each Licencee)	A
29.	Charge Reports	C1
30.	Service File of Inspector/F.A/Peon	C1
31.	Correspondence regarding I-Card of staff	C
32.	Complaint Register and correspondence	C
33.	Cash-Book	A
34.	Applications received from user for non-use of weight or measure	C1

9.2 Registers

9.2.1 Challan Registers

The verification and stamping fees, compounding amount, licence fees, duplicate verification certificate fees, and all other fees should be collected by the Inspector as specified by the Controller. The Inspector keeps a register for fee/amount crediting/depositing in the government treasury through government authorized banks in the format given below:

Month...../20..

Division.....

Sr.No.	Name of the depositor	Challan No.	Date of issue	Amount(₹)			Date of deposit in bank	Bank challan no.
				Verification and stamping	Comp. Fee	Others		
1	2	3	4	5	6	7	8	9
Grand Total -----								

Monthly Summary:

- 1) Opening Balance: ₹ -----
- 2) Amount Deposited During the Month: ₹ -----
- 3) Total (1+2) : ₹ -----
- 4) Amount Used During the Month : ₹ -----
- 5) Closing Balance (3-4) : ₹ -----

Inspector of Legal Metrology
Division..... Dist.....

9.2.2 Account register for verification certificate/money receipt/seizure book

The LMO shall maintain the account of receipts of blank and used books of VC/M.R./Seizure Books received from concerned Assistant Controller for every month in the format given below:

Verification certificate/ money receipt/ seizure receipt account register

From April to March

Sr. No.	Particulars	Apr	May	June	July	Aug.	Sep	Oct	Nov	Dec	Jan	Feb	Mar
1.	Opening Balance (No. of books)												
2.	No. of books received in the month												
3.	Total books (Sr. No. 1+2)												
4.	No. of verification certification/receipt issued in the month												
5.	No. of books used in the month												
6.	No. of certificates/ receipts cancelled during the month												
7.	No. of certificates/ receipts used during the month (Sr. No. 4+6)												
8.	Closing balance (no. of books) (Sr. No. 3-5)												
9.	Remark												
10.	Signature												

9.2.3 Complaint Register

The Legal Metrology Organization is mainly working in the interest of consumers. Hence complaints are received from consumers to Headquarter, D.C. and A.C. office. Some complaints are also received directly at Inspector's office. Therefore, Inspector immediately takes action as per Act and Rules on the complaint. The Inspector shall maintain "complaint register" in the format given below:

Year 1/04/20...to 31/03/20.....

Division.....

Sr. No.	Date of complaint received in the office	Name and address of complainant	Nature of complaint	Details of action taken	Date of reporting to A.C.	Remarks with signature of Inspector
1	2	3	4	5	6	7

Inspector of Legal Metrology
 _____Division.

9.2.3.1 Statement of complaints received and disposed of

Normally, complaints are received at A.C. and D.C. office. The said complaints are forwarded to the respective Inspector and compliance of the complaint is received from the respective Inspector. AC/DC shall consolidate the report in the following format every month and submit the report to the head office.

Sr. No.	Name of the Div/District	Complaint received				Complaint disposed of								Complain- ts pending	
		Direc tly receiv ed		Receiv ed from contro l room		Directly received				Received from control room				Directly received	Received from control room
		In Month		In Month		In month		Progressive		In month		Progressive			
Found correct	Found false	Found correct	Found false	Found correct	Found false	Found correct	Found false	Found correct	Found false						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Total															

Legal Metrology Officer
-----Div./District/ Region .

9.2.4 Register for Non-Use of weight or measure [Under Rule 15(3)] of The Maharashtra Legal Metrology (Enforcement) Rules, 2011

The user of weight or measure shall submit in writing the intimation regarding NON-USE of weight or measure in the prescribed application as given in Notification No. LMO/2010/410/C.R.175 (Part-2) C.P.4 dated 29th July 2011, to the concerned Inspector. The Inspector shall maintain the “Register of applications received from user for Non-use of weight or measure” in the following format:

Name of Division

Sr. No.	Date on which application is received	Name and address of user	Nature of business	Details of weight or measure	Last V.C. No.	Reasons for non use	Date of application for using the same	Verification certificate no. and date	Remark
1	2	3	4	5	6	7	8	9	10

Whenever the user desires to use the same weight or measure, he/she may make application to the concerned Inspector. The Inspector shall take a note of such application in the register and shall verify and stamp the weight or measure after receiving regular fee.

CHAPTER X

Other Work /Technical Procedures

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CHAPTER X

Other Work/Technical Procedures

10.1 Camp office

10.1.1 Place for camp offices

One of the functions of the Inspector of Legal Metrology is to arrange and conduct camps as per the approved annual work programme. While selecting place for conducting the camps, as far as possible Inspector should ensure that:

- i) the place should be at ground level
- i) situated near the market
- ii) easily accessible to the traders and consumers
- iii) facilities such as water and electricity supply are available
- v) the area of the camp office is about 20 square metres

If the place for conducting camp is not made available by the local authority such as village panchayat, municipal council/corporation etc., the Inspector can hire the place on rental basis by taking consent of the owner of the premises in writing in the format given in **ANNEX XXVII**. Thereafter, Inspector of Legal Metrology should intimate the concerned Assistant Controller and all concerned about the venue of the camp.

10.1.2 Procedure for working at camp office

The place, date and time for verification at camp office should be communicated to user in advance by Inspector, circulating/issuing notices to user and also by exhibiting notice at the camp office. Notices shall be in the format given in **ANNEX XXVIII**.

Inspector can hire a vehicle and mazdoor at prevailing market rate for shifting and carrying Working Standards and other equipments to the camp office with receipt of the payment made in format given in **ANNEX XXIX**.

The camp completion report shall be prepared in the format given in **ANNEX XXX** and should be submitted within 7 days to the Assistant Controller for information. If the camp is not completed within the period, or expected collection of verification fees could not be achieved as approved by the Deputy Controller, reasons thereof should be mentioned in the camp completion report.

The receipts of the amount paid as rent of camp office in the format given in **ANNEX XXXI** and transportation charges is to be submitted to the Assistant Controller for reimbursement, within fifteen days.

10.1.3 Surprise visit by Deputy Controller/Assistant Controller to camp office

Deputy Controller/Assistant Controller of the concerned region/district may visit any camp office of the Inspector in his local limits. After such visit he should prepare a camp inspection report. The Deputy Controller/Assistant Controller may verify the weight or measure already verified by the Inspector on the camp office and should mention his remarks in the camp inspection report and submit to the superior authority. If any discrepancies are found in inspection report, the explanation of the same shall be called from the Inspector, copy of which should invariably be submitted to the higher officer.

10.2 Conversion of analog mode to digital mode in weighing instrument

As a result of modernization and fast growing technology, there is also development in the field of weight or measure. Many users seek to convert mechanical weighing instrument to digital weighing system. Every permission for conversion, shall be granted by Controller's Office.

Following procedures shall be followed in this regard:

10.2.1 Application for conversion by user shall contain following:

- i) application for conversion shall be made by the user or his authorized representative
- ii) copy of the last verification certificate of the mechanical weighing instrument
- iii) copy of valid licence of the repairer who is performing such conversion work
- iv) copy of model approval of conversion kit
- v) technical details of conversion kit such as Max. and Min. capacities, 'e' value, class, and make etc.
- vi) declaration of user regarding use of either electronic or both indicators (mechanical and electronic).

10.2.2 Such permission of conversion shall be granted subject to following conditions:

- i) size of platform should not be changed
- ii) max. capacity and verification scale interval ('e' value) should not be changed
- iii) use of either electronic or both (mechanical and electronic) indicators

- iv) after conversion user shall produce such instruments for verification to local Inspector before putting such instrument into use.

10.2.3 Fees for verification and stamping of such converted weighing instrument:

- i) single fees as prescribed in rules, in case of use of only electronic indicator
- ii) separate fees shall be charged for each indicator in case of use of both (mechanical and electronic).

10.2.4 Details of indicators verified should be clearly mentioned in the verification certificate. If both the indicators are to be used, Sr. No. and make of the same should be mentioned.

10.2.5 Inspector shall mention the details of permission order in the verification certificate.

10.3 Replacement of digital indicator (head work):

10.3.1 Every permission for replacement of digital indicator (head work) shall be granted by Controller's Office.

10.3.2 Such application shall contain the following:

- i) last verification certificate of such weighing instrument
- ii) copy of model approval and manufacturing licence of conversion kit/digital weighing instrument
- iii) copy of licence of repairer/manufacture who is performing the work
- iv) technical details of the indicator to be replaced.

10.3.3 While granting permission, it should be ensured that:

- i) max. capacity, min. capacity, 'e' value, accuracy class of new indicator (head work) should be same as that of old one
- ii) if the indicator of a converted weighing instrument is to be replaced, then the new indicator should have model approval of "conversion kit"
- iii) if the indicator of digital weighing instrument is to be replaced then, the new indicator should have model approval of "Digital Weighing Instrument".

10.3.4 Inspector shall mention the details of permission order in the verification certificate.

10.4 Model panchnama

10.4.1 Model format for panchnama in the case of not maintaining weights of 10% of the capacity of weighing instrument

Place:

Date: / /

We, the undersigned Panchas, were this day called by Shri _____ Inspector of Legal Metrology _____ Division / District _____ to the premises of Shri _____ Address _____ at about _____ a.m. / p.m. The said Inspector of Legal Metrology was accompanied by Legal Metrology Officers to whom we were introduced. The Inspector has inspected weighing instrument of Make _____, Model No. _____ Max./Minimum Capacity _____ kg., (Electronic / Mechanical) 'e' value..., class....., Last verification Stamp..... in our presence. During the said inspection it was ensured that the weighing instrument was indicating Zero when no weight is placed on it. Thereafter, the said Inspector asked for verification and stamping certificate to the owner /person present / manager Shri _____. Accordingly the said verification and stamping certificate was produced before the Inspector and we saw that it bears Sr. No. _____, dated ____/____/____ and was valid up-to____/____/____. The Inspector has shown and explained the provision of Rule 21(4) of The Maharashtra Legal Metrology (Enforcement) Rules, 2011, that "to ensure a proper check of the accuracy of a weighing instrument the user is required to keep at the site of each weighing instrument duly verified and stamped

weights equal to one-tenth of the capacity of the instrument or one thousand kilogram, whichever is less.” Thereafter the Inspector asked concerned owner/person present/manager Shri _____ whether he possesses the above specified weights or otherwise. To this query the said owner/person present/manager Shri _____ categorically confessed that he does not have requisite weights in their possession. Thereafter, the said Inspector of Legal Metrology stated that this act of omission leads to contravention of Rule 21(4) of The Maharashtra Legal Metrology (Enforcement) Rules, 2011. Therefore an offence for violation of the said Rule is being registered against the concerned person; accordingly this panchnama is made out in our presence.

This panchnama and aforesaid facts were read over and explained to us and it is correct account of what we saw. Therefore, we are willingly signing this panchnama.

Sr. No.	Name of Panchas	Address	Occupation	Age	Sign.
1	2	3	4	5	6

Panchnama,

Began at _____ a.m./p.m.

Finished at _____ a.m./p.m.

Before me,

Signature of owner/person present

Inspector of Legal Metrology,
..... Division .

10.4.2 Model format for panchnama in the case of short delivery

Place:

Date: / /

The Inspector of Legal Metrology _____ Division / District _____ visited the trading premises of Shri / M/s. _____ Address _____ at about _____ a.m./p.m. During the inspection it was observed that the present person/manager of the said premises has prepared a receipt for the articles/things, which were sold to Shri _____ (Customer) and were actually delivered to him. The said Inspector enquired and requested the said customer for re-weighment/ re-measurement of the articles/ things delivered to him. Weight or measure of following description were used for re-weighment/ re-measurement.....

The above-mentioned weight or measure, belongs to shop owner/carried by the Inspector with him. The said weight or measure were tested for accuracy and found correct. It was ensured that the article/things in question were totally discharged from container/receptacle. Following facts were observed.

Sr. No.	Receipt No.	Description of article/things sold	Weight / Measure as per receipt	Actual weight / measure after re-weighment / re-measurement	Difference in g/ml (+) / (-)
1	2	3	4	5	6

As per the above fact the said present person / manager caused to deliver less quantity and therefore, has / have contravened the provisions of The Legal Metrology Act, 2009. The article/things as per cash memo were thereafter returned to the customer in our presence.

The Panchnama and the list of the articles mentioned in the above inventory were read over and explained to us and it is the correct account of what we saw.

Name and address of the customer and Signature

Sr.No.	Name of Panchas	Address	Occupation	Age	Signature
1					
2					

Panchnama

Began at _____ a.m./p.m.

Finished at _____ a.m./p.m.

Before me,

Signature of owner/person present Inspector of Legal Metrology,
Division .

10.4.3 Model format for panchnama in the case of Packaged Commodities

Place :

Date : / /

We, the undersigned Panchas, were this day called by Shri _____ Inspector of Legal Metrology _____ Division / District _____ to the trading premises of Shri _____ at about _____ a.m./p.m. to witness the act of seizing certain packages from M/s _____ in our presence. The said Inspector seized and took charge of the articles mentioned in the following inventory which we testify to be correct. The said articles were found in the possession of _____ or we saw they were being kept for sale / sold / delivered by _____ for purpose of trade.

Sr. No.	Particulars of items seized and detained	Reasons for seizure and detention
1	2	3

The panchnama and the list of the articles mentioned in the above inventory were read over and explained to us and it is the correct account of what we saw.

Sr.No.	Name of Panchas	Address	Occupation	Age	Signature
1	2	3	3	4	5

Panchnama

Began at _____ a.m./p.m.

Finished at _____ a.m./p.m.

Before me,

Signature of owner/person present

Inspector of Legal Metrology,
_____ Division .

10.5 Abstract of violation of Sections/Rules, with penalties and compounding amounts (under The Legal Metrology Act, 2009 and rules made thereunder)

Sr. No .	Nature of offence	Violated Sec. with penal sec.	Fine ₹	Max. compounding Amount ₹	Penalty for second and subsequent offence ₹	Comp./ non-compoundable (Yes/ No)
1	Use of non standards weight or measure	8(3)/25	Max. extend to ₹25000/-	₹ 5000/-	Imprisonment up to six months and also with fine	Y
2	Alteration of weight or measure	26	Max. extend to ₹50000/-	-----	Imprisonment not less than six months and extend to one year also with fine or both	N
3	Mfg/Import of non- standard weight or measure	8(4)/27	Max. extend to ₹20000/-	₹20000/-	Imprisonment up to three years or fine or with both	Y
4	Sale of non standard weight or measure	8(4)/27	Max. extend to ₹20000/-	₹5000/-	Imprisonment up to three years or fine or with both	Y
5	Making any transaction deal or contract in contravention of the prescribed standards	10/28	Max. extend to ₹10000/-	₹2000/-	Imprisonment up to one year or fine or with both	Y

6	Quoting or publishing etc. in non-standard units	11/29	Max. extend to ₹10000/-	₹ 2000/-	Imprisonment up to one year or fine or with both	Y
7	Any custom, usages etc. contrary to standard weight and measure or numeration	12/30	Max. extend to ₹10000/-	₹5000/-	Imprisonment up to one year or fine or with both	Y
8	Non - production of document, maintenance of record or register etc.	15(2)/31	Max. extend to ₹ 5000/-	₹ 2000/-	Imprisonment up to one year or fine or with both	Y
9	Non production / maintainance of records and registers by Mfg/rep /dealer of weight or measure	17,/31	Max. extend to ₹ 5000/-	₹2000/-	Imprisonment up to one year or fine or with both	Y
10	Non compliance of declaration of prepackaged commodity by mfg/packer/ importer	18(1)/36(1)	Max. extend to ₹25000/-	₹ 15000/-	1) Up to ₹ 50000/- 2) not less than ₹ 50000/- but extend to ₹100000/- or with imprisonment up to one year or with both	Y

11	Non compliance of declaration of prepackaged commodity by wholesale dealer/ distributor	18(1)/36 (1)	Max. extend to ₹ 25000/-	₹10000/-	1) Up to ₹ 50000/- 2) not less than ₹ 50000/- but extend to ₹ 100000/- or with imprisonment up to one year or with both	Y
12	Non compliance of declaration of prepackaged commodity by retailer	18(1)/36 (1)	Max. extend to ₹ 25000/-	₹ 5000/-	1) Up to ₹ 50000/- 2) not less than ₹ 50000/- but extend to ₹ 100000/- or with imprisonment up to one year or with both	Y
13	Non registration as importer of weight or measure	19/38	Max. extend to ₹25000/-	₹ 25000/-	Imprisonment up to six months or fine or with both	Y (compoundable by director)
14	Non standard weight or measure not to be imported	20/39	Max. extend to ₹50000/-	₹50000/-	Imprisonment up to one year and also with fine.	Y (compoundable by director)
15	Failure to get Model approval	22/32	Max. extend to ₹ 20000/-	₹20000/-	Imprisonment up to one year and	Y (compoundable)

	before mfg./import of weight or measure				also with fine.	ble by direct- or)
16	Prohibition on mfg. weight or measure without licence	23/45	Max. extend to ₹ 20000/-	₹20000/-	Imprisonme- nt up to one year or with fine, or with both	Y
17	Prohibition on repair/sale weight or measure without licence	23/46	Max. extend to ₹ 5000/-	₹4000/-	Imprisonme- nt up to one year or with fine, or with both	Y
18	Use/sale/ distribution/d elivery of unverified weight or measure	24(1)/ 33	Max .not less than ₹2000/- extend to ₹10000/-	₹3000/-	Imprisonme- nt up to one year and also with fine.	Y
19	Sale or delivery of commodity by non standard weight or measure	34/34	Not less than ₹2000/- extend to ₹5000/-	₹3000/-	Imprisonme- nt for a term not less than three months extend to one year or with fine or with both	Y
20	Rendering services by non standard weight, measure or number	35/35	Not less than ₹2000/- extend to ₹ 5000/-	₹3000/-	Imprisonme- nt for a term not less than three months extend to one year or with fine or with both	Y
21	Violation of rule 18(2),18(3),1	Rule 32(2)	Fine of ₹2000/-	₹2000/-	..... ...	Y

	8(4),18(5),18(6), of Packaged Commodities Rules, 2011					
22	Violation of rule 27 , 31 of Packaged Commodities Rules, 2011	Rule 32(1)	Fine of ₹4000/-	₹ 4000/-	.....	Y
23	Make advertisement mentioning MRP without declaration of Net quantity	Sec 18(2) read with Rule-31(1), 31(2)/32(1)	Fine of ₹ 4000/-	₹ 4000/-	.....	Y
24	Violation of any rules made under Maharashtra Legal Metrology (Enf.) Rules, 2011	Rule-23	Max. extend to ₹ 5000/-	₹ 3000/-	.....	Y
25	Error in net quantity in package at mfg./ packer/ importer premises	Sec 18(1)/ 36 (2), Rule 19, 20	Not less than ₹10000/- Max. extend to ₹ 50000/-	₹ 20000/-	Max. Extend to ₹ 100000/- or with imprisonment extend to one year or with both.	Y
26	Error in net quantity in package at premises of wholesale/ retail dealer	Rule 21/ Rule 32(2)	Max. extend to ₹2000/-	Max. ₹2000/-	.....	Y

27	Contravention by GATC	Sec 37(1)	Max. extend to ₹ 100000/-	₹ 100000/-	.....	Y (compoundable by director)
28	Contravention by GATC – willful verification and stamping	Sec 37(2)	Imprisonment for a term extend to one year or with fine extend to ₹10000/- or both	₹10000/-	.....	Y (compoundable by director)
29	Obstructing LMO	Sec 40	Imprisonment extend to 2 years	-----	Imprisonment for a term extend to five years	N
30	Giving false information	Sec 41(1)	Extend to ₹5000/-	-----	Imprisonment may extend to six months and also with fine	N
31	Giving false returns	Sec 41(2)	Extend to ₹5000/-	-----	Imprisonment may extend to one year and also with fine	N
32	Vexatious search	Sec 42	Imprisonment may extend to one year or with fine extend to ₹10000/- or both	-----	-----	N

33	Verification in contravention of Act and Rules	Sec 43	Imprisonment may extend to one year or with fine extend to ₹10000/- or both	-----	-----	N
34	Counterfeiting of seals	Sec 44	Imprisonment not less than six months extend to one year	-----	Imprisonment not less than six months extend to five year	N

CHAPTER XI

Maximum Permissible Errors

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CHAPTER –XI

Maximum Permissible Errors

Maximum permissible errors for weight or measure prescribed in Legal Metrology (General) Rules, 2011 and maximum permissible errors for packaged commodities prescribed in Legal Metrology (Packaged Commodities) Rules, 2011 are reproduced here for ready reference.

11.1 Maximum permissible errors for Secondary Standards.

11.1.1 Secondary Standard Weights

Maximum permissible error

Denomination	Permissible error <u>± mg</u>
10 kg	50
5 kg	25
2 kg	10
1 kg	5
500 g	2.5
200 g	1.0
100 g	0.5
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

11.1.2 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:

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

Where L is the nominal length in millimetres 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.

11.1.3 Secondary Standard Capacity Measures

Maximum permissible error

Denomination	Permissible error ± ml
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

11.1.4 Secondary Standard Balances

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

Capacity	Sensitivity figure mg/div.	Mini. scale division	Maximum variation in sensitivity figure with respect to load	Minimum overall accuracy of measurement
1	2	3	4	5
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	0.1 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:—

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

11.2 Maximum permissible errors for Working Standards.

11.2.1 Working Standard Weight

Maximum permissible error

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

Denomination	Permissible error \pm mg
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	0.5
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

11.2.2 Working Standard Metre Bar

Maximum permissible errors

- (a) 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 :

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

where L is the nominal length in millimetres 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.

- (b) The errors on the length between any two graduation lines on the plate shall not exceed ± 20 micrometres.

11.2.3 Working Standard Capacity Measures

Maximum permissible error

Denomination	Permissible errors in ml (\pm ml)
10 litres	8
5 litres	4
2 litres	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

11.2.4 Delivery time and maximum permissible errors of pipette measures

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

11.2.5 Working Standard Balances

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	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

11.2.6 Digital type balances:

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

Capacity	Max.value of verification scale interval	Type of weights to be verified
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

11.3 Maximum permissible errors for frequently used weight or measure

11.3.1 Weights

Cylindrical Knob Type Weights (10 kg to 1 g)

The maximum permissible errors shall be as specified below :

Denomination	Permissible error	
	Verification (mg)	Inspection (mg)
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	$\pm 3]$

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 (mg)		
		Verification		Inspection
	Bullian (mg)	Non-bullian (mg)	Bullian (mg)	Non-bullian (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	Verification	Inspection
Carat	mg	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	Verification	Inspection
Carat	mg	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
0.1	0.3	± 0.3
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 ³
(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 (grams)				
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

11.3.2 Capacity Measures

The maximum permissible errors shall be as specified:

Denomination		Verification in excess only			Inspection	
	Cylindrical measures ml	Cylindrical measures ml	Cylindrical measures		Cylindrical measures	
			Excess	Deficiency ml	Excess	Deficiency ml
20 l	...	100	Error same as in	...	Error same as in	50
10 l	...	50	verification	...	verification	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	± 3 ml
60 ml	± 2 ml
30 ml	± 1 ml

11.3.3 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 1.0 mm 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	Verification		Inspection	
	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

Steel tape measures

Maximum permissible error

(a) 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 metres, rounded off to the next higher whole number of metres.

(b) The maximum permissible error on tape measures on inspection shall be twice that specified for verification, the method of verification remaining unchanged.

(c) Steel tape measures of nominal length 0.5 m to 5 m shall belong to accuracy Class I or Class II.

(d) Tape measures of nominal length above 5 m shall belong to accuracy Class I, Class II or Class III.

Surveying Chains

Permissible error

(a) When measured with a tension of 80 newtons every metre length shall be correct with an error not exceeding ± 2 mm.

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

20 metre chains ± 5 mm

30 metre chains ± 8 mm

(b) The permissible errors shall be the same for verification and inspection.

11.4 Maximum permissible errors for Packaged Commodities.

[See Rule 2(e)]

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

(1) 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:-

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	-

(2) 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:-

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

Sr. No.	Quantity declared	Maximum permissible error in excess or in deficiency
(i)	in units of length	2% of declared quantity up to 10 metres and thereafter 1% of declared quantity.
(ii)	in units of area	4% of declared quantity up to 10 square metres and thereafter 1% of declared quantity.
(iii)	by number	2% of declared quantity.

11.5 Net Content Data Sheet

Form A

Weight Checking – Data Sheet

A Particulars of Package Manufacturer/ Packer				Name of	
		Address	Price	Month	Year
B Commodity Classification		Lot Size: Sample Size: 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		Signature and name of manufacturer/packer authorized by manufacturer 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 Particulars of Package Manufacturer/ Packer		Name of			
		Address	Price	Month	Year
B Commodity Classification		Lot Size: Sample Size: 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		Signature and name of manufacturer/ packer authorized by manufacturer 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.

CHAPTER XII

Landmark Judgments

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CHAPTER –XII

Landmark judgments

This organization has been implementing the provisions of the Standards of Weights and Measures Act, 1976 and Standards of Weights and Measures (Enforcement) Act, 1985 and the Rules made thereunder. Now these enactments stand replaced by The Legal Metrology Act, 2009 and the Rules made thereunder. Currently, this organization is implementing and enforcing this new Act and the Rules. The new Act amalgamates the provisions of both the previous Acts. The principles laid down by various higher courts pertaining to the implementation of these provisions need to be noted. All these provisions are included in the new Act and they continue to remain operative even while implementing the new Act.

It has been noticed that the Government Officers are generally sincere and diligent in implementing the above Acts or for that matter any enactment. Still it has been found that the actions taken by the sincere officers do not stand in the court of law and at times, the courts make observations about the merits and bona fides of their actions. This may be perhaps due to unawareness of the latest position in law. In order to avoid this kind of situation, we have decided to compile Landmark Judgments which lay down various principles that are required to be followed while implementing the new Act. Familiarity with these would assist the officers in implementing the Act better. In this chapter, we have compiled a few relevant and operative parts of the judgments. All these decisions are also available on the websites of the respective High Courts as well as the Supreme Court. The officers can go through the actual judgments if in

need. This compilation will surely help in better implementation of the Act.

Landmark judgments relating to statute of Legal Metrology- Brief facts

12.1 Supreme Court Judgments

12.1.1

Name of the Court : Supreme Court of India

Case No. and Date of Judgment : Cri. Appeal No. 963/1999,
17 September, 1999.

Petitioner/Respondents : State of Kerala V/s
M/s Flora

Subject : Putting up for sale the Shirts without declaring their sale price

Operative part of the Judgment:

Respondents committed a breach of Rule 6 and rendered themselves liable to prosecution irrespective of original liability of the manufacturer. The Respondents could have declared the price on the packets by affirming a price tag or in any other manner which would have satisfied the requirements of the rule.

12.1.2

Name of the Court : Supreme Court of India
Case No. and Date of Judgment : Civil Appeal No. 5310/1990
3 August, 1999
Petitioner/Respondents : M/s India Photographic Co. Ltd.
V/s H D Shourie

Subject : Whether dealers are obliged to comply with the provisions of sub-rule (1) of Rule 6 of the Rules.

Operative part of the Judgment :

The product of Kodak films, a multinational company are being manufactured and distributed in India, thus neither the manufacturer nor the distributor or retailer can escape the liability of complying with the provisions of Rule 6 of the Rules.

12.1.3

Name of the Court : Supreme Court of India
Case No. and Date of Judgment : Civil Appeal No. 7417/2001, 2
November, 07
Petitioner/Respondents : M/s Whirlpool India Ltd.
V/s Central Excise

Subject: Whether Refrigerator a pre packed commodity

Operative part of the Judgment:

A glance at this provision and more particularly to explanation I would suggest that the refrigerator is covered under the term pre-packed commodity. Even if the package of the Refrigerator is required to be opened for testing, even then refrigerator would continue to be a pre-packed commodity.

Once that position is clear Rule 6 would specifically include the Refrigerator and would carry along with it the requirements by that Rule of printing certain information including the sale price on the Package. Thus it is clear that by being sold by the manufacturer in a packaged form, the refrigerator would be covered by the provisions of SWM Act and SWM (PC) Rules and it would be imperative that the MRP has to be printed in terms of Rule 6 which has been referred to above.

12.1.4

Name of the Court : Supreme Court of India
Case No. and Date of Judgment : CIVIL APPEAL NO. 1119
of 2010, August 26, 2011
Petitioner/Respondents : The State of Maharashtra and
Others Versus
Raj Marketing and Anr.

Subject: Whether packages containing WHOLESale packages
constitutes a Wholesale package

Operative part of the Judgment:

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. As demonstrated before the High Court, the counsel appearing for the First respondent placed all the above-mentioned products before us i.e. both the wholesale package as well as the retail package. The Department's only contention was that the secondary package in which the wholesale package was packed does not contain the said information. 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.

On going through the statutory provisions which we have adverted to in the earlier paras and on verification of the products which were shown to us during the course of argument, we fully agree with the conclusion arrived at by the High Court. Consequently, the appeal fails and the same is dismissed with no order as to costs.

12.2 High Court Judgments

12.2.1

Name of the Court : Bombay High
Case No. and Date of Judgment : WP 3905/199, 21 July, 2006
Petitioner/Respondents : Finolex Industries Limited

V/s State of Maharashtra

Subject: Provisions of Standards of Weights and Measures Act and Packaged Commodities Rules are not applicable to PVS of all grades manufactured and sold by the petitioner.

Operative part of the Judgment:

If such huge quantity is found in dispatch section necessarily it is meant for sale. Assuming that the packaged commodities were meant for export or industrial use or for wholesale, the petitioners are still bound to make necessary declarations thereon. It is therefore clear that whether the packaged commodity is meant for wholesale or for export, the requirement of an unambiguous declaration on the packet is a must.

In the absence of any marking on the packaged commodities, the claim that the petitioner's goods are exempted or that they were meant for export or wholesale do not appear to be genuine.

12.2.2

Name of the Court : Bombay High Court

Case No. and Date of Judgment : WP 3421/2001, WP 4542/2001,
13 February, 2006.

Petitioner/Respondents : Becton Dickinson,
Wel Intertrade Limited v/s
Union of India and Others.

Subject : (a) Name and Address of Importer,
(b) Month and year of import,
(c) Retail sale price has not been mentioned on imported goods.

Operative part of the Judgment:

Court Direction: Arrangements were directed to be made for implementation of the provisions of the Act. In the event there is any default by any of the petitioners, the Respondents have remedy open under the Act to proceed for such nonapplication against the errant company.

12.2.3

Name of the Court : Bombay High Court
Case No. and Date of Judgment : Criminal Application No.
2583/2008, 19 December, 2008.
Petitioner/Respondents : Mr. Shekhar Bajaj and Others
V/s State of Maharashtra and
Others

Subject: Vicarious liability of the directors

Operative part of the Judgment:

In the present case the complainant has not at all stated in the complaint as to whether the applicants at the relevant time were in charge of and were also responsible to the company for the conduct of business of the company. Their status as directors of the respective company cannot be taken into account for the purpose of prosecution. If it is shown that they were in charge of and was also responsible to the company for the conduct of business of the company at the time then the position would be different.

The phraseology used in Section 62 of the Act has a special significance. A commission of offence by company under the Act requires different treatment by virtue of Section 62 of the Act. The phraseology used in Section 62 of the Act conveys actual participation in day-to-day affairs of the company.

In the decisions cited above wherein the provision of law is identical to the one in the present case, it has been held that in the absence of necessary averments in the complaint a person cannot be prosecuted.

12.2.4

Name of the Court : Bombay High Court, Bench at Nagpur

Case No. and Date of Judgment : Writ Petition No. 5416/10,
17 June, 2011.

Petitioner/Respondents : Indian Oil Corporation V/s Inspector of
Legal Metrology, Div. Umred

Subject: Compounding of Offence under Sec. 62

Operative part of the Judgment:

Respondents have in reply/affidavit pointed out that though two officers are named as authorised officers for compounding the offence, there is no authorization from the Board of Directors to compound the contravention.

Mr. N.W. Sambre, learned Government Pleader states that if there is no appropriate authorisation from the Board of Directors for compounding the offence, the matter will be processed in accordance with Section 62 of the Standards of Weights and Measures Act, 1985 (1985 Act for short).

We have perused the reply/affidavit filed by Respondent No. 1 and 2.

The communication relied on by Petitioner, is under Factories Act and cannot be related to Section 62 of the Standards of Weights and Measures (Enforcement) Act, 1985, violation of which has been accepted by petitioner in the present matter.

Hence, petitioner to supply appropriate resolution of Board of Directors conferring the powers of compounding the violation of 1985 Act in the name of Mr. V S Menon and Mr. Manjunathrao. If the resolution is received by respondents within a period of eight weeks from today the respondents shall proceed to consider the compounding in accordance with law.

12.2.5

Name of the Court : Delhi High Court

Case No. and Date of Judgment : CWP No. 6517/03,
5 March, 2007.

Petitioner/Respondents : Federation of Hotels and
Restaurants and Others V/s
Union of India and Others

Subject: Charging prices for mineral water in excess of MRP printed on
the packaging

Operative part of the Judgment:

Hon'ble Court holds that charging prices for mineral water in excess of MRP printed on the packaging, during the service of customers in hotels and restaurants does not violate any of the provisions of the SWM Act as this does not constitute a sale or transfer of these commodities by the hotelier or Restaurateur to its customers. The customer does not enter a hotel or a restaurant to make a simple purchase of these commodities. It may well be that a client would order nothing beyond a bottle of water or a beverage, but his direct purpose in doing so would clearly travel to enjoying the ambience available herein and incidentally to the ordering of any article for consumption. Can there be any justifiable reason for the Court or Commission to interdict the sale of bottled mineral water other than at a certain price, and ignore the relatively exorbitant charge for a cup of tea or coffee. The response to this rhetorical query cannot but be in the negative. Although the vires of Rule 23 have been assailed, I do not find it necessary to answer that challenge since the provision relates to sales between dealers and neither the hotels and restaurants of the one part and customers of the other falls within this categorization.

12.2.6

Name of the Court : Delhi High Court
Case No. and Date of Judgment : WP 14929/2006
31 August, 2009
Petitioner/Respondents : M/s Reebok India
Company V/s Union of
India and Others

Subject: The Standards of Weights and Measures Act and Packaged Commodities Rules, 1977 are not applicable to their products. There is no specific notification in respect of foot ware or garments under section 1(3) of the Standards of Weights and Measures Act

Operative part of the Judgment:

In the admitted fact of this case the shoes packed in a cartoon is in single unit meant for retail sale. It may be that the pair of shoes is opened from the package so that the customer test it, but having regard to explanation (1) to Rule 2(l), it is ample clear petitioners product falls within the definition of terms pre-packed commodity.

12.2.7

Name of the Court	: High Court Andhra Pradesh at Hyderabad
Case No. and Date of Judgment	: Writ Petition No. 4353 of 1985, 28 October, 1988.
Petitioner/Respondents	: M/s Ceat Tyres of India Ltd., Bombay V/s Union of India, Inspector of LM, Khammam

Subject: The petitioner is a Manufacturer of tyres and tubes. Prosecution was laid for not sending the individual tubes in packed forms. The petitioner is assailing the action taken by the Respondents contending that the Standards of Weights and Measures Act, 1976 and the Standards of Weights and Measures (packaged commodities) Rules, 1977 do not enjoin on the petitioner to single tube in a packed form.

Operative part of the Judgment:

If it is single one it is enough is the tube contains the specifications enumerated under the provisions of the Act herein before mentioned and also as contained in sub-rule (2) of Rule 12 of the Rules. If it contains more than one, then sub-rule (3) of Rule 12 gives option. If it is single one it need not contain a package but the items mentioned as in sub-rule (2) of Rule 12 should mention on the tube itself and the need to have a package would be redundant. If it contains more than one, necessarily as per item 23 of the V Schedule in terms of Rule 12 (2) and (3), it is necessary to mention the number of the tubes contained in the package.

Therefore, if it is sent in more than one number necessarily it must contain the same, then it constitutes an offence and liable for penalties as provided under the Act.

It is contended for the State that the petitioner is under an obligation even for a single tube to pack it and the absence thereof, constitutes offence.

I find no substance in the said contention. In view of the Rules mentioned supra there is no obligation on the part of the petitioner when single unit to be sent in a wrapped form provided he satisfy the other conditions of the Statute and the Rules but if more than one tube is sent in a packed form. If the petitioner has contravened, it is open to them to launch the prosecution otherwise, it is for them to take appropriate action as per law.

12.2.8

Name of the Court	: High Court of Judicature Andhra Pradesh at Hyderabad.
Case No. and Date of Judgment	: Criminal Petition No. 1516 of 1989, 21 August, 1992
Petitioner/Respondents	: Brook Bond India Ltd. Hyderabad. V/s Inspector of Legal Metrology, The State

Subject: Three Roses Tea manufactured by the M/s Brook Bond India Ltd. was sold at ₹ 35 against the marked price ₹ 32.63 on the basis of a sticker affixed on the packet. The stock were supplied by the company at the revised price and directed to sell at the revised price as shown on the stickers affixed to the packets.

Operative part of the Judgment:

In the instant case the manufacturer has affixed label which has the effect of altering the declaration made on the package. So, it cannot be said that there is no prima facie case against the petitioners. Rule 23(6) is only an exception to the general prohibition regarding alteration of the declaration. There is nothing in the Act or the Rules which would authorise the manufacturer to review the rates in respect of pre-packed commodities that were manufactured earlier to the date on which the revised rates had come into operation. So, under the circumstances, I find that the petition is liable to be dismissed and is accordingly dismissed.

12.2.9

Name of the Court	: High Court of Karnataka at Bangalore
Case No. and Date of Judgment	: Criminal Petition No. 2059 of 1983, 15 June, 1987
Petitioner/Respondents	:M/s Indo Swing Limited, Bangalore V/s Director of weights and Measures, New Delhi, Controller of Weights and Measures and Others.

Subject : Compounding Notice under Section 73 of the Act.

Operative part of the Judgment:

Sri B.G. Sridharan, learned counsel for petitioner replying on certain observations of the Supreme Court in MOHINDER SINGH GILL and ANOTHER - v - THE CHIEF ELECTION COMMISSIONER, NEW DELHI and OTHERS (A.I.R.1978 SC 851) vehemently urged that the principles of natural justice demand at least a show cause notice before they are called upon to compound the offences.

Section 73 is only an enabling provisions enabling accused of the commission of the offence to compound the same. Compounding may be either before or after the institution of the criminal case. Question of providing opportunity of hearing will not arise in instant where criminal cases are already instituted. So, it cannot be said that opportunity of hearing should be provided in the instances where criminal cases are yet to be instituted. If principles of natural justice are to be supplanted to Section 73, it cannot operate in part.

Either the alleged offender is entitled to notice of hear or no notice at all. It is not possible to construe that in instances where criminal case are not instituted there must be adherence of principles of natural justice. Respondents while giving option to compound are not determining or concluding that they are the offenders. It is only a notice of option to, so- called offenders to exercise option of compounding and in case of their unwillingness, they are at liberty to contest the criminal case and get exonerated. Providing of opportunity before filing FIR or charge sheet under the Code of Criminal Procedure are never contemplated. Similar provisions exist in fiscal statutes and other laws. For example, agriculture Incometax Act, Sales Tax Act, An Income Tax Act where the department calls upon the assessment to compound certain offences. It is not possible to con.. that even in such cases, there is a predetermination of liability of taxes. If unwilling to compound, they are a liberty to contest and establish their innocence or non liability.

Decision of Supreme Court cited supra having no resemblances to the issue in question, it is unnecessary to consider them in detail. Hence, I find no merit in these writ petitions.

12.2.10

Name of the Court : Kerala High Court
Case No. and Date of Judgment : W.A. No. 218/2003 (B),
9 April, 2008.
Petitioner/Respondents : Union of India and anr.
v/s Godrej-GE Appliances Ltd.
and ors.

Subject: The Standards of Weights and Measures Act and Packaged Commodities Rules, 1977 are not applicable to the products manufactured and marketed by the petitioner.

Refrigerators, air-conditioners, washing machines, electrical and electronic equipments and components, electronic items including satellite receivers, typewriters, dhotis, television sets, audio systems, cassette recorders, video cassette players, rechargeable lanterns, push button telephones, amplifiers, cables, capacitors, plugs and sockets, cords and connectors, cable T.V. equipments, metres, diodes and leads, eliminators, headphones, micro-motors, circuit boards, radios, soldering materials, loud speakers, stabilizers, switches, decks. cassette players, VCD players etc, copier machines, faxes, printers, synthetic ropes, polypropylene, multifilament yarn twines, ready-made garments, sarees, dhotis, shirts, trousers, kerchiefs, neck-ties, sanitary items like gate valve, foot valve, shower and soap dish, fans, sewing machines, air-conditioners, cookers, pressure pans, cook wear, non-stick cook wear, duroflex and duro, lead acid storage battery, paints.

Operative part of the Judgment:

Inter-State trade or commerce in weight, measure or other goods which are sold or distributed by weight, measure or number is dealt with under the Standards Act. The Enforcement Act, 1985 provides for the enforcement of the standards of weights and measures established by or under the Standards of Weights and Measures Act, 1976 in respect of intra-State trade or commerce. Section 33 of the Enforcement Act provides that the provisions of the Standards Act and the rules thereunder with regard to commodities in packaged form shall, as far as may be, apply to every commodity in packaged form which is distributed, sold, or kept, offered or exposed for sale, in the State. Sub-section (2) of Section 33 empowers the State Government to make rules, not inconsistent with the Standards Act or any Rule made thereunder, to regulate the packaging of any such commodity. The Standards Act and the rules thereunder and the Enforcement Act are intended for the protection of the rights of the consumer. Interpretation of the provisions of the Acts and the Rules shall be in a rational manner keeping in mind the objects sought to be achieved by the enactments and Rules. A too technical interpretation as is sought to be made by the writ petitioner, if accepted, would not advance the protection of the rights of the consumer. Section 3 of the Standards Act states that the provisions of the Act shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than the Act or in any instrument having effect by virtue of any enactment other than the Act. Section 4 of the Enforcement Act provides for similar overriding effect except regarding anything inconsistent therewith contained in the Standards Act.

12.2.11

Name of the Court : Bombay High Court

Case No. and Date of Judgment : WP No 6544/2011; WP No 6589/2011 ,12 October, 2011.

Petitioner/Respondents : Grant Medical Foundation and anr
V/s State of Maharashtra and ors.

Subject: Applicability of rule 23 (1) of The Standards of Weights and Measures (Packaged Commodities) Rules, 1977 to establishment run by hospital.

A case was booked by Inspector of Legal Metrology Pune-1 Division against Grant Medical Foundation, Pune for display of packaged commodities which were not having declarations as required by Packaged Commodities Rules. A notice was issued to the Defaulter (Grant Medical Foundation). Defaulter failed to reply the same within stipulated time. Instead he approached the Hon'ble Bombay High Court by filing a Writ Petition praying to direct the Inspector to withdraw notice issued by him. The ground raised by Defaulter in petition was that he is not the manufacturer /distributor of the products seized. The Department contended that the Defaulter had not utilized the remedy of appeal to the CLM available in the Act and Rule. The Writ Petition was disposed of by the Bombay High Court by directing the appellate authority to grant reasonable opportunity of hearing to the petitioners.

Accordingly, the Petitioner had filed appeal before the CLM. The Controller of Legal Metrology heard the appellant as well as respondents

at length. Even though the Defaulter is not manufacturer or distributor, he is carrying on the business of selling the seized goods which were not having declarations as required under Packaged Commodities Rules. This clearly amounts to violation of Rule 23(1) of the Packaged Commodities Rules. Hence the appeal was rejected and order as below was passed by the Controller of Legal Metrology

“Appellant pleaded that they have replied to the notice issued by Inspector of Legal Metrology, Pune-1 Division, but could not produce any evidence to that effect. Further it is pleaded that they are not manufacturers or distributors of the seized packages and hence they have not committed any offence. However the packages seized from appellant were kept for sale in their premises. Licence to sale these products in the name of appellant is on record. Hence this argument cannot be accepted since appellant have clearly violated the provisions of section 39 of The Standards of Weights and Measures Act 1976 and Section 33 of The Standards of Weights and Measures (E) Act 1985 read with Rule 23(1) of The Standards of Weights and Measures (Packaged Comm.) Rules 1977.

Hence the following order.

ORDER

1. The Appeal is rejected.
2. If appellant applies for compounding of this offence within 20 days from receipt of this order, it shall be considered and processed.

3. If appellant does not apply for compounding of this offence within 20 days from receipt of this order, Inspector of Legal Metrology Pune-1 Division shall submit the case in the appropriate court of law.”

Later on the Petitioner again approached Hon’ble Bombay High Court against the order passed in appeal by the Controller of Legal Metrology.

The counsel for the petitioner again contended that they have not committed any offence under any provisions of the Act since they are not the manufacturers or distributors of the products mentioned in the said notice. The petitioners also objected to the statement made by the respondent in the notice that the packages were found in possession of the Grant Medical Foundation’s Medical Stores and, therefore, there was no question of compounding the offence.

The Hon’ble Bombay High Court while deciding the writ petition upheld the order passed in appeal by the Controller and dismissed the said writ petition.

The Hon’ble Court observed as:

it is evident that the petitioners did not produce any evidence or material before the appellate authority to demonstrate that the petitioners submitted their reply to the show cause notice dated 9.11.2010. It is also not in dispute that the packages were seized from the petitioners which were kept for sale in their premises.

The petitioners were unable to point out to us any specific ground in the Memo of Appeal to show there was no violation of the provisions of

Section 39 of the Act mentioned in the notice dated 9.11.2010. In the absence thereof, it is very difficult to appreciate the defence of the petitioners.

While dismissing the writ petition Hon'ble High Court appreciated the order passed by the Controller of Legal Metrology in said appeal and following comments were passed.

“In the facts and circumstances of the case, the order impugned is just and proper and needs no interference. Writ Petition is dismissed.”

12.3 Appeals and Orders by Controller

Apart from these judgments there are orders passed by Hon'ble Controller of Legal Metrology, in those cases, where proper investigation is not done, products are duplicate, the interpretation of the declaration made on packages is not taken into consideration while booking the cases.

12.3.1 Case No. 18/2011

Date: - 19/04/2010

M/s. Tata Steel Ltd., V/s

Inspector of Legal Metrology
Tumsar Division, District Bhandara
Inspector of Legal Metrology
Washim Division, District Washim
Inspector of Legal Metrology
Mehkar Division, District Buldhana

Respondent

Subject: Duplicate products

The original packages produced by Appellant and the packages seized by Respondents have been examined by me. I noticed the significant difference between original and seized packages. My finding is that the seized packages are not genuine ones and hence the Appellant cannot be held responsible for the duplicate packages/products.

Hence the following order.....

ORDER

1. The Appeal is allowed.
2. The case booked by
 - a) Inspector of Legal Metrology, Tumsar Division, District Bhandara
 - b) Inspector of Legal Metrology Washim Division, District Washim and
 - c) Inspector of Legal Metrology Mehkar Division, District Buldhanaagainst appellant are hereby dropped.
3. The seized duplicate packages be forfeited to Govt.

12.3.2 Appeal No.:- No. 14/2010 and 23/2010 Date:- 30/11/2010

M/s. Bosh Limited, Worli, Mumbai-400 018

V/s

Inspector of Legal Metrology, Akola-2nd Division.

Inspector of Legal Metrology, Nanded-1st Division.

Subject: Duplicate Products.

Hearing both sides I direct Appellant to submit written arguments on 30/11/2010. Accordingly Appellant submitted written arguments today. After hearing both sides and going through written arguments and the case papers on record, it is revealed that the packages seized are packed much later than 1/1/2008 and bear thereon the name of company as 'Motor Industries Co. Ltd' whereas the company has changed its name w. e. f. from 1/1/2008. Hence it is clear that the packages seized are spurious and appellant cannot be held responsible for not declaring statutory declarations on the spurious packages. Further the retailers have compounded their offences. Hence the following order.

ORDER

1. The Appeal is allowed.
2. The cases booked by Inspector of Legal Metrology, Akola-2nd Division and Inspector of Legal Metrology, Nanded-1st Division are hereby closed.
3. Inspector of Legal Metrology, Akola-2nd Division and Inspector of Legal Metrology, Nanded-1st Division are hereby directed to take action accordingly.

4. Copy of this order be sent to Deputy Controller of Legal Metrology, Amaravati Region, Deputy Controller of Legal Metrology, Aurangabad Region, Assistant Controller of Legal Metrology, Akola District, Assistant Controller of Legal Metrology, Nanded District, Inspector of Legal Metrology, Akola-2nd Division and Inspector of Legal Metrology, Nanded-1st Division.

12.3.3 Appeal No.:- No. 45/2011

Date: - 24/8/2011

M/s.Reliance Communications Infrastructure Ltd.,
Dhirubhai Ambani Knowledge City
2CA08, H Block, 1st floor, Koparkhairane
Thane-Belapur Road,
Navi Mumbai- 400 710.

v/s

Inspector of Legal Metrology,
Daryapur Division,
District:-Amravati

The learned counsel for the Appellant pleaded that the package seized by Respondent was not intended for sale. They produced copies of Customer Acquisition Form and information broacher on record. It is clearly written at the last line of clause **please note** that monthly subscription charges are inclusive of equipment usage charges of ₹ 50 per month. Further it is seen that clauses 1(XIV), 8.3, 10.1, 11.2, 11.3, 11.6 of terms and conditions of Customer Acquisition Form clearly indicate that the seized package was not meant for sale.

Respondent (Officers of Legal Metrology) admit the contentions advanced in the argument by the Appellant.

I heard both sides and have gone through arguments and examined the documents produced on record by Appellant. It is revealed that the packages seized by Inspector of Legal Metrology Daryapur Dn. was not meant for or offered for sale. Hence no offence is committed by Appellant.

12.3.4 Appeal No.:- No. 8 and 9 of 2011;

Date: 27th July, 2011

- 1) M/s Grant Medical Foundation,
Bund Garden Road, Pune-1
- 2) M/s Grant Medical Foundation, and Medical Stores,
Bund Garden Road, Pune-1..... Appellant

v/s

Inspector of Legal Metrology, Pune 1st Division, Dist:-
Pune. Respondent

Appellant pleaded that they have replied to the notice issued by Inspector of Legal Metrology, Pune 1st Division, but could not produce any evidence to that effect. Further it is pleaded that they are not manufacturers or distributors of the seized packages and hence they have not committed any offence. However the packages seized from appellant were kept for sale in their premises. Licence to sale these products in the name of appellant is on record. Hence these arguments cannot be accepted since appellant have clearly violated the provisions of Section 39 of the Standards of Weights and Measures Act, 1976 and Section 33 of the Standards of Weights and Measures (Enforcement) Act, 1985 read with Rule 23(1) of the Standards of Weights and Measures (packaged commodities) Rules, 1977.

Hence, the following order.

Order

1. Appeal is rejected.
2. If appellant applies for compounding of this offence within 20 days from receipt of this order, it shall be considered and processed.
3. If appellant does not apply for compounding of this offence within 20 days from receipt of this order, Inspector of Legal Metrology, Pune-1 Division shall submit the case in the appropriate court of law.

This order was challenged by the Appellant before Hon'ble Bombay High Court. Hon'ble Bombay High Court while passing the order stated that the petitioners were unable to point out to us any specific ground in the Memo of Appeal to show there was no violation of the provisions of Section 39 of the Act mentioned in the notice dated 9.11.2010. In the absence thereof, it is very difficult to appreciate the defence of the petitioners. After this the Hon'ble Court quoted the above order.

In the facts and circumstances of the case, the order impugned is just and proper and needs no interference.

CHAPTER XIII

Notifications and Orders

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CHAPTER -XIII

Notifications and Orders

13.1 Notifications

In order to implement the Act and Rules in a proper manner, notifications regarding appointment, power delegation, prescribed format, etc. have been issued from time to time. These notifications play a vital role for enforcement officials. This chapter highlights a few important notifications.

13.1.1

**FOOD, CIVIL SUPPLIES AND CONSUMER PROTECTION DEPARTMENT,
GOVERNMENT OF MAHARASHTRA
Mantralaya Annexe, Mumbai - 400 032, dated 18th June, 2011.**

Notification

LEGAL METROLOGY ACT, 2009.

No.LMO-2010/410/C.R. 175 (Part-2) /C.P.4 In exercise of the powers conferred by sub-section (1) of the section 14 of The Legal Metrology Act, 2009 (No. 1 of 2010), and in supersession of the previous orders relating to appointment of Controller of Legal Metrology, the Government of Maharashtra hereby appoints Dr. Maadhava Saanap, IPS, the Controller of Legal Metrology, who has been previously appointed under provision of sub-section (1) of the section 5 of the Standards of Weights and Measures (**Enforcement**) Act, 1985 to be the Controller of Legal Metrology, for the purposes of this Act, for the State of Maharashtra.

By order and in the name of the Governor of Maharashtra

(P.T.Nalawade)
Joint Secretary to Government

13.1.2

**FOOD, CIVIL SUPPLIES AND CONSUMER PROTECTION DEPARTMENT,
GOVERNMENT OF MAHARASHTRA**

Mantralaya Annexe, Mumbai - 400 032, dated 18th June, 2011.

Notification

LEGAL METROLOGY ACT, 2009.

No.LMO-2010/410/C.R. 175 (Part-2) /C.P.4 In exercise of the powers conferred by sub-section (1) of the section 14 of The Legal Metrology Act, 2009 (No. 1 of 2010), and in super session of the previous orders relating to appointment of Deputy Controllers of Legal Metrology, the Government of Maharashtra hereby appoints the Deputy Controllers of Legal Metrology previously appointed under provision of sub-section (1) of the section 5 of the Standards of Weights and Measures (Enforcement) Act, 1985 specified in column 2 of the Schedule hereto to be the Deputy Controllers of Legal Metrology as specified in column 3 of the said schedule, for the purposes of this Act.

Schedule

Sr. No.	Deputy Controller of Legal Metrology appointed under Section 5 of the Standards of Weights and Measures (Enforcement) Act, 1985	Deputy Controller of Legal Metrology appointed under Section 14 of The Legal Metrology Act, 2009
1	2	3
1	Deputy Controller of Legal Metrology, Respective Region	Deputy Controller of Legal Metrology, Respective Region

By order and in the name of the Governor of Maharashtra

(P.T.Nalawade)
Joint Secretary to Government

13.1.3

**FOOD, CIVIL SUPPLIES AND CONSUMER PROTECTION DEPARTMENT,
GOVERNMENT OF MAHARASHTRA**

Mantralaya Annex, Mumbai - 400 032, dated 18th June, 2011.

Notification

LEGAL METROLOGY ACT, 2009.

No.LMO-2010/410/C.R. 175 (Part-2) /C.P.4 In exercise of the powers conferred by sub-section (1) of the section 14 of The Legal Metrology Act, 2009 (No. 1 of 2010) and in supersession of the previous orders relating to appointment of Assistant Controllers of Legal Metrology, the Government of Maharashtra hereby appoints the Assistant Controllers of Legal Metrology previously appointed under provision of sub-section (1) of the section 5 of the Standards of Weights and Measures (Enforcement) Act, 1985 specified in column 2 of the Schedule hereto to be the Assistant Controllers of Legal Metrology as specified in column 3 of the said schedule for the purposes of this Act.

Schedule

Sr. No.	Assistant Controller of Legal Metrology appointed under Section 5 of the Standards of Weights and Measures (Enforcement) Act, 1985	Assistant Controller of Legal Metrology appointed under Section 14 of The Legal Metrology Act, 2009
1	2	3
1	Assistant Controller of Legal Metrology, Respective District	Assistant Controller of Legal Metrology, Respective District

By order and in the name of the Governor of Maharashtra

(P.T.Nalawade)
Joint Secretary to Government

13.1.4

**FOOD, CIVIL SUPPLIES AND CONSUMER PROTECTION DEPARTMENT,
GOVERNMENT OF MAHARASHTRA**

Mantralaya Annex, Mumbai - 400 032, dated 18th June, 2011.

Notification

LEGAL METROLOGY ACT, 2009.

No.LMO-2010/410/C.R. 175 (Part-2) /C.P.4: In exercise of the powers conferred by sub-section (1) of the section 14 of The Legal Metrology Act , 2009 (No. 1 of 2010) and in supersession of the previous orders relating to appointment of Inspector of Legal Metrology, the Government of Maharashtra hereby appoints the Inspectors of Legal Metrology previously appointed under provision of sub-section (1) of the section 5 of the Standards of Weights and Measures (**Enforcement**) Act,1985 specified in column 2 of the Schedule hereto to be the Inspectors of Legal Metrology as specified in column 3 of the said schedule for the purposes of this Act.

Schedule

Sr. No.	Inspecto of Legal Metrology appointed under Section 5 of the Standards of Weights and Measures (Enforcement) Act, 1985	Inspecto of Legal Metrology appointed under Section 14 of The Legal Metrology Act, 2009
1	2	3
1	Inspector of Legal Metrology, Respective Division	Inspector of Legal Metrology, Respective Division

By order and in the name of the Governor of Maharashtra

(P.T.Nalawade)
Joint Secretary to Government

13.1.5

**FOOD, CIVIL SUPPLIES AND CONSUMER PROTECTION DEPARTMENT,
GOVERNMENT OF MAHARASHTRA**

Mantralaya Annex, Mumbai - 400 032, dated 18th June, 2011.

Notification

LEGAL METROLOGY ACT, 2009

No. LMO-2010/410/C.R. 175 (Part-2) /C.P.4: In exercise of the powers conferred by sub-section (3) of the section 14 of The Legal Metrology Act, 2009 (No. 1 of 2010) and in suppression of the previous notifications/orders in this regard, the Government of Maharashtra, hereby define the local limits as specified in column 3 of the Schedule hereto, within which the Legal Metrology Officers appointed under sub-section (1) of the section 14 specified in column 2 of the said Schedule shall exercise the powers and discharge the duties conferred or imposed on them by or under the said Act. The Controller of Legal Metrology is hereby authorized to define the area within the local limits as shown in column 3 for Legal Metrology Officer.

Schedule

Sr.No.	Designation of Legal Metrology Officers	Local limits
1	2	3
1.	Deputy Controller of Legal Metrology, Head Quarter, Maharashtra State, Mumbai	Whole State
2.	Deputy Controller of Legal Metrology, Mumbai Metropolitan Region, Mumbai	Greater Mumbai and Mumbai Suburban Districts
3.	Deputy Controller of Legal Metrology, Konkan Region, Navi Mumbai	Thane, Raigad, Ratnagiri and Sindhudurg Districts
4.	Deputy Controller of Legal Metrology, Nashik Region, Nashik	Nashik, Jalgaon, Dhule, Nandurbar and Ahmednagar Districts.
5.	Deputy Controller of Legal Metrology, Pune Region, Pune	Pune ,Satara, Sangli, Kolhapur and Solapur Districts.
6.	Deputy Controller of Legal Metrology, Aurangabad Region, Aurangabad	Aurangabad, Beed, Osmanabad, Nanded, Parbhani, Hingoli, Latur and Jalna Districts.
7.	Deputy Controller of Legal Metrology, Amravati Region, Amravati	Amravati, Buldhana, Akola, Washim and Yeotmal Districts.
8.	Deputy Controller of Legal Metrology, Nagpur Region, Nagpur	Nagpur, Wardha, Bhandara, Gondia, Chandrapur and Gadchiroli Districts.
9.	Assistant Controller of Legal Metrology, Head Quarter, Maharashtra State (Administration), Mumbai	Whole State
10.	Assistant Controller of Legal Metrology, Head Quarter, Maharashtra State (Accounts), Mumbai	Whole State

11.	Assistant Controller of Legal Metrology, Mumbai Metropolitan Regional Office (Administration, Accounts, Legal), Mumbai	Greater Mumbai and Mumbai Suburban Districts
12.	Assistant Controller of Legal Metrology, Mumbai District -1, 2, 3 and 4, Mumbai	Greater Mumbai and Mumbai Suburban Districts
13.	Assistant Controller of Legal Metrology, Konkan Regional Office (Administration, Accounts), Navi Mumbai	Thane, Raigad, Ratnagiri and Sindhudurg Districts
14.	Assistant Controller of Legal Metrology, Thane District, Thane	Thane District
15.	Assistant Controller of Legal Metrology, Ratnagiri District, Ratnagiri	Ratnagiri and Sindhudurg Districts
16.	Assistant Controller of Legal Metrology, Raigad District, Alibag	Raigad District
17.	Assistant Controller of Legal Metrology, Nashik Regional Office (Administration, Accounts), Nashik	Nasik, Jalgaon, Dhule, Nandurbar, and Ahmednagar Districts
18.	Assistant Controller of Legal Metrology, Nashik District, Nashik	Nashik District
19.	Assistant Controller of Legal Metrology, Dhule District, Dhule	Dhule and Nandurbar District
20.	Assistant Controller of Legal Metrology, Ahmednagar District, Ahmednagar	Ahmednagar District
21.	Assistant Controller of Legal Metrology, Jalgaon District, Jalgaon	Jalgaon District
22.	Assistant Controller of Legal Metrology, Pune Regional Office (Administration, Accounts), Pune	Pune, Satara, Sangli, Kolhapur and Solapur Districts
23.	Assistant Controller of Legal Metrology, Pune District, Pune	Pune District

24.	Assistant Controller of Legal Metrology, Satara District, Satara	Satara District
25.	Assistant Controller of Legal Metrology, Sangli District, Sangli	Sangli District
26.	Assistant Controller of Legal Metrology, Kolhapur District, Kolhapur	Kolhapur District
27.	Assistant Controller of Legal Metrology, Solapur District, Solapur	Solapur District
28.	Assistant Controller of Legal Metrology, Aurangabad Regional Office (Administration, Accounts), Aurangabad	Aurangabad, Beed, Osmanabad, Nanded, Parbhani, Hingoli, Latur and Jalna Districts
29.	Assistant Controller of Legal Metrology, Aurangabad District, Aurangabad	Aurangabad District
30.	Assistant Controller of Legal Metrology, Jalana District, Jalana	Jalana District
31.	Assistant Controller of Legal Metrology, Beed District, Beed	Beed District
32.	Assistant Controller of Legal Metrology, Parbhani District, Parbhani	Parbhani and Hingoli Districts.
33.	Assistant Controller of Legal Metrology, Nanded District, Nanded	Nanded District
34.	Assistant Controller of Legal Metrology, Latur District, Latur.	Latur and Osmanabad Districts.
35.	Assistant Controller of Legal Metrology, Amravati Regional Office (Administration, Accounts), Amravati	Amrawati, Buldhana, Akola, Washim and Yeotmal Districts
36.	Assistant Controller of Legal Metrology, Amravati District, Amravati	Amravati District
37.	Assistant Controller of Legal Metrology, Akola District, Akola	Akola and Washim Districts

38.	Assistant Controller of Legal Metrology, Buldhana District, Buldhana	Buldhana District
39.	Assistant Controller of Legal Metrology, Yeotmal District, Yeotmal	Yeotmal District
40.	Assistant Controller of Legal Metrology, Nagpur Regional Office (Administration, Accounts), Nagpur	Nagpur, Wardha, Bhandara, Gondia, Chandrapur and Gadchiroli Districts
41.	Assistant Controller of Legal Metrology Nagpur District, Nagpur	Nagpur and Wardha Districts
42.	Assistant Controller of Legal Metrology, Bhandara District, Bhandara	Bhandara and Gondia Districts
43.	Assistant Controller of Legal Metrology, Chandrapur District, Chandrapur	Chandrapur and Gadchiroli Districts
44.	Inspector of Legal Metrology, Head Quarter, Maharashtra State (I, II, III, IV, V, VI, VII), Mumbai	Whole State
45.	Inspector of Legal Metrology, Mumbai Metropolitan Region (I, II, III, IV, V, VI, VIII), Mumbai	Greater Mumbai and Mumbai Suburban Districts
46.	Inspector of Legal Metrology, Precision Laboratory Division, Mumbai	Greater Mumbai and Mumbai Suburban Districts
47.	Inspector of Legal Metrology, Standard Laboratory I, II, III, IV, V, Mumbai	Greater Mumbai and Mumbai Suburban Districts
48.	Inspector of Legal Metrology, Mandvi-I, II, Kulaba Division Mumbai	Greater Mumbai and Mumbai Suburban Districts
49.	Inspector of Legal Metrology, Vehicle Tank Calibration I, II, III, IV, V, VI	Greater Mumbai and Mumbai Suburban Districts
50.	Inspector of Legal Metrology, Girgaon (I, II), Kalabadevi, Byculla (I, II and III), Dadar (I, II and III), Dharavi, Wadala Division, Mumbai	Greater Mumbai and Mumbai Suburban Districts

51.	Inspector of Legal Metrology, Bandra, Vile-parle, Andheri (I, II), Jogeshwari, Goregaon (I, II), Malad, Borivali, Kandivali, Santacruz, Dahisar Division, Mumbai	Greater Mumbai and Mumbai Suburban Districts
52.	Inspector of Legal Metrology, Kurla(I,II and III), Ghatkopar (I,II), Vikhroli, Bhandup, Mulund, Cembur, Govandi, Mankhurd Division, Mumbai	Greater Mumbai and Mumbai Suburban Districts
53.	Inspector of Legal Metrology, Konkan Region (I, II), New Mumbai.	Thane, Raigad, Ratnagiri and Sindhudurg Districts
54.	Inspector of Legal Metrology, Thane(I, II,III), Vashi (I,II), Kalyan (I,II), Ulhasanagar, Bhivandi(I,II), Palghar, Bhayender, Vasai, Shahapur, Dahanu Division	Thane District
55.	Inspector of Legal Metrology, Panvel-(I, II), Karjat (Raigad District), Roha, Alibag, Mangaon, Mahad Division.	Raigad District
56.	Inspector of Legal Metrology, Ratnagiri, Rajapur, Sangmeshwar, Chiplun- (I, II), Dapoli Division	Ratnagiri District
57.	Inspector of Legal Metrology, Sawantwadi, Malavan, Kankavali Division	Sindhudurg District
58.	Inspector of Legal Metrology, Nashik Region -(I,II), Nashik	Nasik, Jalgaon, Dhule, Nandurbar and Ahmednagar Districts
59.	Inspector of Legal Metrology, Nashik- (I,II,III,IV,V), Malegaon, Manmad, Pimpalgon-Baswant, Satana, Vani Division	Nashik District
60.	Inspector of Legal Metrology, Dhule-(I,II,III), Shirpur, Shindkheda Division	Dhule District
61.	Inspector of Legal Metrology, Taloda, Nandurbar Division	Nandurbar District

62.	Inspector of Legal Metrology, Ahmednagar-(I, II, III), Rahuri, Shrirampur, Kopargaon, Karjat, Sangamner, Shevgaon Division	Ahmednagar District
63.	Inspector of Legal Metrology, Jalgaon-(I, II), Bhusaval, Raver, Amalner, Chalisgaon, Pachora, Yaval Division	Jalgaon District
64.	Inspector of Legal Metrology, Pune Region -(I,II), Pune	Pune, Satara, Sangli, Kolhapur and Solapur Districts
65.	Inspector of Legal Metrology, Pune-(I,II,III,IV,V,VI), Pimpri, Chinchwad, Haveli(I,II), Khed, Baramati, Junnar, Bhosari, Vehicle Tank, Shirur, Indapur, Daund, Wadgaon-Maval, Bhore Division	Pune District
66.	Inspector of Legal Metrology, Satara, Phaltan, Koregaon, Karad (I,II) Division	Satara District.
67.	Inspector of Legal Metrology, Sangli-(I,II), Miraj, Islampur, Tasgaon, Vita, Jat Division	Sangli District
66.	Inspector of Legal Metrology, Kolhapur-(I,II,III,IV), Ichalkaranji(I,II), Kodoli, Shirol, Kagal, Gadhinglaj Division.	Kolhapur District
67.	Inspector of Legal Metrology, Solapur – (I,II,III,IV), Barshi, Pandharpur, Akhuj, Kurduwadi, Sangola, Akkalkot Division	Solapur District
68.	Inspector of Legal Metrology, Aurangabad Region - (I,II), Aurangabad	Aurangabad, Beed, Osmanabad, Nanded, Parbhani, Hingoli, Latur and Jalna Districts
69.	Inspector of Legal Metrology, Aurangabad – (I,II,III), Paithan, Vijapur, Gangapur, Kannad, Sillod Division	Aurangabad District

70.	Inspector of Legal Metrology, Jalna – (I,II), Bhokardan, Ambad Division	Jalna Distric
71.	Inspector of Legal Metrology, Beed, Patoda, Gevari, Parli-vaijnath Division	Beed District
72.	Inspector of Legal Metrology, Nanded- (I,II), Bhokar, Deglur,Naigaon Division, Nanded.	Nanded District
73.	Inspector of Legal Metrology, Parbhani – (I,II), Selu Division.	Parbhani District
74.	Inspector of Legal Metrology, Hingoli Division, Hingoli	Hingoli District
75.	Inspector of Legal Metrology, Latur – (I,II), Udgir, AUSA Division	Latur District
76.	Inspector of Legal Metrology, Osmanabad, Yuljapur,Bhoom Division	Osmanabad District
77.	Inspector of Legal Metrology, Amravati Region - (I,II), Amravati.	Amrawati, Buldhana, Akola, Washim and Yeotmal Districts
78.	Inspector of Legal Metrology, Amravati – (I, II, III, IV), Achalpur, Daryapur, Morshi, Chandur Railway Division	Amravati District
79.	Inspector of Legal Metrology, Yeotmal, Pusad, Umarkhed, Vani, Pandharkvada, Ner Division.	Yeotmal District
80.	Inspector of Legal Metrology, Akola- (I,II), Akot, Murtijapur Division	Akola District
81.	Inspector of Legal Metrology, Washim, Manglurpir Division, Washim.	Washim District
82.	Inspector of Legal Metrology, Buldhana, Nandura, Chikhl, Khamgaon, Mehkar Division.	Buldhana District

83.	Inspector of Legal Metrology, Nagpur Region - (I,II), Nagpur	Nagpur, Wardha, Bhandara, Gondia, Chandrapur and Gadchiroli Districts
84.	Inspector of Legal Metrology, Nagpur – (I,II,III,IV,V,VI,VII,VIII), Vehicle Tank Calibration, Hingna(I,II), Umred, Kamthi, Savner, Katol Division	Nagpur District
85.	Inspector of Legal Metrology, Wardha, Arvi, Hinganghat Division	Wardha District
86.	Inspector of Legal Metrology, Bhandara, Tumsar, Sakoli Division	Bhandara District
87.	Inspector of Legal Metrology, Gondia Division, Gondia	Gondia District
88.	Inspector of Legal Metrology, Devari Division, Devari.	Gondia District
89.	Inspector of Legal Metrology, Chandrapur, Warora, nagbhid, Mul, Rajura Division.	Chandrapur District
90.	Inspector of Legal Metrology, Gadchiroli, Aheri, Armori Division.	Gadchiroli District.

By order and in the name of the Governor of Maharashtra

(P.T.Nalawade)
Joint Secretary to Government

13.1.6

**FOOD, CIVIL SUPPLIES AND CONSUMER PROTECTION DEPARTMENT,
GOVERNMENT OF MAHARASHTRA**

Mantralaya Annex, Mumbai - 400 032, dated 18th June, 2011.

Notification

LEGAL METROLOGY ACT, 2009.

No.LMO-2010/410/C.R. 175 (Part-2) /C.P.4 In exercise of the powers conferred by sub-section (1) and (3) of the section 14 of The Legal Metrology Act, 2009 (No. 1 of 2010) and in supersession of the previous notifications/orders in this regard, the Government of Maharashtra, being of the opinion that it is necessary or expedient in the public interest so to do, hereby authorize subordinate officers specified in column No (2) of the Schedule appended hereto exercise the powers and discharge duties of the Controller, Legal Metrology, in respect of powers / functions specified against each of them in column No (3) of the said schedule within the respective jurisdiction . The powers delegated by this notification shall be exercised under the general superintendence, direction and guidance of the Controller.

Schedule

Serial No.	Designation of Legal Metrology Officers	Powers / Functions
1	2	3
1	Deputy Controller of Legal Metrology Head Quarter, Maharashtra State, Mumbai.	<ol style="list-style-type: none"> 1. Grant of licence to manufacturer of Weight or Measure. 2. Grant of licence to repairer and dealer of Weight or Measure who is the manufacturer. 3. Grant of licence to repairer of Weight or Measure who wishes to work as repairer in more than one region or for throughout the State . 4. Renewal of licence of manufacturer of Weight or Measure. 5. Renewal of licence of repairer and dealer who is manufacturer of weight or measure. 6. Renewal of licence of repairer having workshops located in more than one region. 7. Any alteration in licence issued by him. 8. Suspension and cancellation of licence issued by him.
2	Deputy Controller of Legal Metrology Mumbai Metropolitan Region /Kokan/Pune/Nashik/Aurangabad/Amravati/Nagpur Region.	<ol style="list-style-type: none"> 1. Grant of licence to repairer in Weight or Measure having activities of repairing in Metropolitan Region /Kokan/Pune/Nashik/Aurangabad/Amravati/Nagpur Region. 2. Renewal of licence of repairer in Weight or Measure who is not manufacturer of Weight or Measure and whose licence is issued by Deputy Controller, Legal Metrology, Head Quarter, Mumbai having workshop premises as mentioned in the licence is only in (Metropolitan Region /Kokan/Pune/Nashik/Aurangabad/

		<p>Amravati/Nagpur) Region.</p> <p>3. Renewal of licence of repairer issued by him and who is having workshops located in more than one District within (Metropolitan Region /Kokan/Pune/Nashik/Aurangabad/ Amravati/Nagpur) Region.</p> <p>4. Any alteration in licence issued by him.</p> <p>5. Suspension and cancellation of repairer licence issued by him.</p>
3	Assistant Controller of Legal Metrology, Respective District.	<p>1. Grant of licence to dealer in Weight or Measure having premises in his jurisdiction.</p> <p>2. Renewal of licence of dealer of Weight or Measure issued by him and by other Legal Metrology Officer having premises of the licensee in his jurisdiction.</p> <p>3. Renewal of licence of repairer in Weight or Measure issued by Deputy Controller of Legal Metrology, Respective District Region and having workshop in his jurisdiction.</p> <p>4. Any alteration in licence issued by him.</p> <p>5. Suspension and cancellation of dealer licence issued by him.</p>

By order and in the name of the Governor of Maharashtra,

(P.T.Nalawade)
Joint Secretary to Government

13.1.7

**MINISTRY OF CONSUMER AFFAIRS, FOOD AND
PUBLIC DISTRIBUTION**

(Department of Consumer Affairs)

NOTIFICATION

New Delhi, The 2nd November, 2011

G.S.R.792(E). – In exercise of the powers conferred by sub-section (7) of section 13 of The Legal Metrology Act, 2009 (No.1 of 2010), the Central Government hereby delegates to the Controller of Legal Metrology in the State of Gujarat, Maharashtra, Rajasthan, Uttar Pradesh and West Bengal, with the consent of the said state Government all the powers exercisable by the Director of Legal Metrology pertaining to the provision of Section 18, 27, 28, 29, 30, 33, 34, 35 and 36 of the said Act and under rule 32 of the Legal Metrology (Packaged Commodities) Rules, 2011 in relation to inter-State trade and Commerce, subject to the condition that a quarterly report of action taken under the said provisions of the Act and Rules containing the number of cases booked, compounded, prosecuted and convicted shall be sent to the Director of Legal Metrology Department of Consumer Affairs, Government of India.

[F.No.WM-9(16)/2011]

MANOJ KUMAR PARIDA, Jt Secy

13.2 Orders

13.2.1

CONTROLLER OF LEGAL METROLOGY,
MAHARASHTRA STATE, MUMBAI
Government Barrack No. 7, Free Press Journal Marg,
Mumbai -400 02, Dated - 29th July, 2011.

ORDER

LEGAL METROLOGY ACT, 2009

No. LMO/2010/ 410/C.R.175 (Part-2) / C.P.4- In exercise of the powers conferred by sub section(3) of section 48 of The Legal Metrology Act, 2009, the Controller of Legal Metrology, Maharashtra State hereby authorizes the Legal Metrology Officers appointed under sub section (1) of section 14 of The Legal Metrology Act, 2009 specified in column No.2 of the Schedule hereto, for the purpose of sub-section (3) of section 48 of the said Act, as far as it relates to the offenses for Contravention of The Legal Metrology Act, 2009 and Maharashtra Legal Metrology (Enforcement) Rules, 2011 as shown in column No.4 of the said Schedule, in respect of areas respectively specified against each of them in column No.3. The powers delegated by this order shall be exercised under the general superintendence, direction and guidance of the Controller.

Schedule

Serial No.	Designation of Legal Metrology Officers	Area	Contravention of
1	2	3	4
1	Deputy Controller of Legal Metrology, Head Quarter, Maharashtra State, Mumbai.	Maharashtra	All sections specified under sub-section (3) of section 48 in the said Act except section 37. All rules under Maharashtra Legal Metrology (Enforcement) Rules, 2011.
2	Deputy Controller of Legal Metrology, Mumbai Metropolitan/Kokan /Pune /Nashik /Aurangabad/ Amravati/ Nagpur Region .	Respective Region.	1) All sections specified under sub-section (3) of section 48 in the said Act except section 37 , 45 and Section 47 (except licence issued by the Deputy Controller of Legal Metrology, Head Quarter , Maharashtra State, Mumbai.). 2) All rules under Maharashtra Legal Metrology (Enforcement) Rules, 2011.
3	Assistant Controller of Legal Metrology, Respective District.	Respective District's Region.	1) All sections specified under sub-section (3) of section 48 in the said Act except section 30, 36, 37, 45, 46, 47. 2) All rules under Maharashtra Legal Metrology (Enforcement) Rules, 2011.

Dr. Maadhava Saanap,
Controller of Legal Metrology,
Maharashtra State, Mumbai.

13.2.2

**CONTROLLER OF LEGAL METROLOGY, MAHARASHTRA
STATE, MUMBAI**

Government Barrack No. 7, Free Press Journal Marg,
Mumbai -400 02, Dated - 29th July, 2011.

ORDER

LEGAL METROLOGY ACT, 2009

No. LMO/2010/ 410/C.R.175 (Part-2) / C.P.4- In pursuance of the powers conferred by sub section(2) of section 49 of The Legal Metrology Act, 2009, the Controller of Legal Metrology, Maharashtra State hereby authorizes to Deputy Controller, Head Quarter, Maharashtra State appointed under sub section (1) of section 14 of The Legal Metrology Act, 2009 be the Legal Metrology Officer for the purposes of the sub-section (2) of said section 49.

Dr. Maadhava Saanap,
Controller of Legal Metrology,
Maharashtra State, Mumbai.

13.2.3

CONTROLLER OF LEGAL METROLOGY, MAHARASHTRA STATE, MUMBAI

Government Barrack No. 7, Free Press Journal Marg,
Mumbai -400 02, Dated - 29th July, 2011.

ORDER

MAHARASHTRA LEGAL METROLOGY (ENFORCEMENT) RULES, 2011.

No. LMO/2010/ 410/C.R.175 (Part-2) / C.P.4- In pursuance of the proviso to sub-rule 4 of Rule 21 of the Maharashtra Legal Metrology (Enforcement) Rules, 2011, the Controller of Legal Metrology, Maharashtra State, hereby specify that the user of weights and measures shall keep at the trade premises where the number of weighing instruments are more than one, the total verified and stamped weights equivalent to $1/10^{\text{th}}$ of the capacity of the highest capacity weighing instrument.

Dr. Maadhava Saanap,
Controller of Legal Metrology,
Maharashtra State, Mumbai

13.2.4

CONTROLLER OF LEGAL METROLOGY, MAHARASHTRA STATE, MUMBAI

Government Barrack No. 7, Free Press Journal Marg,

Mumbai -400 02, Dated - 29th July, 2011.

ORDER

MAHARASHTRA LEGAL METROLOGY (ENFORCEMENT) RULES, 2011.

No. LMO/2010/ 410/C.R.175 (Part-2) / C.P.4- In exercise of the powers conferred by Rule 11 of the Maharashtra Legal Metrology (Enforcement) Rules, 2011, the Controller of Legal Metrology, Maharashtra State hereby specify the quarterly returns/reports which shall be submitted by licenced manufacturers, repairers, dealers of weight or measure to the licence renewing authority within 10 days after the end of quarter i.e. on or before 10th day of January, April, July and October respectively in the following form.

Form

Quarterly Report to be submitted by Manufacturer/ Repairer/Dealer

[MAHARASHTRA LEGAL METROLOGY (ENFORCEMENT) RULES, 2011 (Rule-11)]

Period of Report- _____

Name and address of the Licencee-_____

Licence No.-_____ Validity Date-

Description of weight or measure

		Class- I/II		Class- III/IV				Total
		Weight	Weighing Instruments	Weight	Measures	Weighing Instruments	Measuring Instruments	
1	2	3	4	5	6	7	8	9
Numbers	Mech-anical							
	Electronic	----		----	----			
	Total							
Verifi-cation and stamp-ing fees ₹	Mech-anical							
	Electronic	----		----	----			
	Total							

Seal and Signature of the Licencee

Note- 1) Manufacturer/ Repairer/Dealer should submit licencewise reports separately.

2) Manufacturer/Dealer should submit inter State and intra State trade report separately.

Dr. Maadhava Saanap,
Controller of Legal Metrology,
Maharashtra State, Mumbai.

13.2.5

CONTROLLER OF LEGAL METROLOGY, MAHARASHTRA STATE, MUMBAI

Government Barrack No. 7, Free Press Journal Marg,

Mumbai -400 02, Dated - 29th July, 2011.

ORDER

MAHARASHTRA LEGAL METROLOGY (ENFORCEMENT) RULES, 2011

No. LMO/2010/ 410/C.R.175 (Part-2) / C.P.4- In exercise of the powers conferred by sub rule(1) of rule 14 of the Maharashtra Legal Metrology(Enforcement) Rules, 2011, the Controller of Legal Metrology, Maharashtra State hereby direct that the weights of denomination of 20 mg or below shall be exempted from the requirement of being stamped for the purposes of verification, on account of the sizes of such weights which render the same impracticable for being stamped under the provisions of sub rule(1) of rule 14 of the said Rules.

The verification in the case of such weights shall be in the form of the prescribed certificate, certifying that such weights conforms to the standards established by or under The Legal Metrology Act, 2009 and every weights and measures so certified shall be deemed to have been verified and stamped under the said Act on the date on which such verification certificate was issued.

Dr. Maadhava Saanap,
Controller of Legal Metrology,
Maharashtra State, Mumbai .

13.2.6

**CONTROLLER OF LEGAL METROLOGY, MAHARASHTRA
STATE, MUMBAI**

Government Barrack No. 7, Free Press Journal Marg,

Mumbai -400 02, Dated - 29th July, 2011.

ORDER

MAHARASHTRA LEGAL METROLOGY (ENFORCEMENT) RULES, 2011
No. LMO/2010/ 410/C.R.175 (Part-2) / C.P.4- In pursuance of the sub-
rule (5) of Rule 10 of the Maharashtra Legal Metrology (Enforcement)
Rules, 2011, the Controller of Legal Metrology, Maharashtra State,
hereby authorizes the Inspectors of Legal Metrology appointed under sub
section (1) of section 14 of The Legal Metrology Act, 2009 for the
purpose said sub-rule(5) of said rule 10 in respect of licence in his
jurisdiction.

Dr. Maadhava Saanap,
Controller of Legal Metrology,
Maharashtra State, Mumbai .

13.2.7

CONTROLLER OF LEGAL METROLOGY, MAHARASHTRA STATE, MUMBAI

Government Barrack No. 7, Free Press Journal Marg,
Mumbai -400 02, Dated - 29th July, 2011.

ORDER

MAHARASHTRA LEGAL METROLOGY (ENFORCEMENT) RULES, 2011
No. LMO/2010/ 410/C.R.175 (Part-2) / C.P.4- In exercise of the powers
conferred by sub-rule(3) Rule 15 of the Maharashtra Legal Metrology
(Enforcement) Rules, 2011, the Controller of Legal Metrology,
Maharashtra State hereby specify the form in which user of weight or
measure shall submit in writing the intimation regarding non-use of
weight or measure to the Inspector of Legal Metrology of concerned
jurisdiction for getting exemption of period for counting additional fee in
the following form.

FORM

[MAHARASHTRA LEGAL METROLOGY (ENFORCEMENT) RULES, 2011.Rule 15(3)]

Description of Weight or Measure which are not in use

- 1) Name and address of the user-
- 2) Nature of Business -
- 3) Type of weight or measure and Quantity-
- 4) Name of the Manufacturer-
- 5) Capacity-
- 6) Class-
- 7) Machine Serial No.-
- 8) Last verification certificate No. and Date-
- 9) Reason for non-usage. –

I/We, _____(Name and designation) here by declare that, I /We know that use of weight or measure without valid verification and stamp is an offence under the provisions of Legal Metrology Act, 2009 and the rules made there under. I/We will not use above weight or measure without getting re-verified / stamped from you, before putting it into use.

Date-

Signature of the user

Dr. Maadhava Saanap,
Controller of Legal Metrology,
Maharashtra State, Mumbai .

13.2.8

**CONTROLLER OF LEGAL METROLOGY, MAHARASHTRA
STATE, MUMBAI.**

Government Barrack No. 7, Free Press Journal Marg,
Mumbai -400 02, Dated - 29th July, 2011.

ORDER

LEGAL METROLOGY ACT, 2009

No. LMO/2010/ 410/C.R.175 (Part-2) / C.P.4- In pursuance of the powers conferred by sub section(1) of section 24 of The Legal Metrology Act, 2009, the Controller of Legal Metrology, Maharashtra State hereby specifies that Office or Camp office of Inspector of Legal Metrology of respective jurisdiction appointed under sub section (1) of section 14 of The Legal Metrology Act, 2009 shall be the place of verification, stamping and sealing of weight or measure except provided by Maharashtra Legal Metrology (Enforcement) Rules, 2011 and generally the working hours of working days for Offices of Government of Maharashtra shall be the hours during which verification, stamping and sealing of weight or measure shall be done.

Dr. Maadhava Saanap,
Controller of Legal Metrology,
Maharashtra State, Mumbai .

13.2.9

**CONTROLLER OF LEGAL METROLOGY, MAHARASHTRA
STATE, MUMBAI**

Government Barrack No. 7, Free Press Journal Marg,

Mumbai -400 02, Dated - 29th July, 2011.

ORDER

MAHARASHTRA LEGAL METROLOGY (ENFORCEMENT) RULES, 2011

No. LMO/2010/ 410/C.R.175 (Part-2) / C.P.4- In pursuance of the sub-rule (3) of Rule 21 of the Maharashtra Legal Metrology (Enforcement) Rules, 2011, the Controller of Legal Metrology, Maharashtra State, hereby authorizes the Inspectors of Legal Metrology appointed under sub section (1) of section 14 of The Legal Metrology Act, 2009 for purpose of the sub-rule(3) of the said rule 21 in respect to their respective jurisdiction.

Dr. Maadhava Saanap,
Controller of Legal Metrology,
Maharashtra State, Mumbai .

13.2.10

**CONTROLLER OF LEGAL METROLOGY, MAHARASHTRA
STATE, MUMBAI**

Government Barrack No. 7, Free Press Journal Marg,
Mumbai -400 02, Dated - 6th January, 2012.

ORDER

LEGAL METROLOGY ACT, 2009

No. LMO/2010/ 410/C.R.175 (Part-2) / C.P.4- In exercise of the powers conferred by sub section (7) of section 13 of The Legal Metrology Act, 2009 (No.1 of 2010) read with Government of India, Ministry of Consumer Affairs, Food and Public Distribution (Department of Consumer Affairs) Notification, No. G.S.R.792(E) dated 2nd November, 2011 the Controller of Legal Metrology, Maharashtra State, Mumbai, being of the opinion that it is necessary or expedient in the public interest so to do, hereby delegates all powers exercisable by him by virtue of above mentioned delegation of powers by Central Government under the various provisions of the Act and Rules specified in column 2 of the Schedule appended hereto in relation to inter-state trade and commerce to the officers specified in column 3 of the said Schedule who shall exercise them within the area of their respective jurisdiction , subject to the conditions that a quarterly report of action taken under the said provisions of the Act and Rules containing the number of cases booked, compounded, prosecuted and convicted shall be sent to the Controller of Legal Metrology , Maharashtra State, Mumbai.

The powers delegated by this notification shall be exercised under the general superintendence, direction, control and guidance of the Controller.

Schedule

Sr. No.	Designation of Legal Metrology Officers	Powers exercisable by the Controller of Legal Metrology under Sections of the Act	Area of Jurisdiction
1	2	3	4
1	Deputy Controller of Legal Metrology	Section 15, 16 and 48(2) pertaining to the provisions of Section 18, 27, 28, 29, 30, 33, 34, 35, 36 of Legal Metrology Act, 2009 and under rule 32 of the Legal Metrology (Packaged Commodities) Rules, 2011	Within their respective jurisdiction
2	Assistant Controller of Legal Metrology	Section 15, 16 pertaining to the provisions of Section 18, 27, 28, 29, 30, 33, 34, 35, 36 of Legal Metrology Act, 2009 and under rule 32 of the Legal Metrology (Packaged Commodities) Rules, 2011	Within their respective jurisdiction
3	Inspector of Legal Metrology	Section 15, 16 pertaining to the provisions of Section 18, 27, 28, 29, 30, 33, 34, 35, 36 of Legal Metrology Act, 2009 and under rule 32 of the Legal Metrology (Packaged Commodities) Rules, 2011	Within their respective jurisdiction

Dr. Maadhava Saanap.
Controller of Legal Metrology,
Maharashtra State. Mumbai.

CHAPTER XIV

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CHAPTER - XIV

Schedules and Annexes

14.1 Schedules as specified in The Maharashtra Legal Metrology (Enforcement) Rules, 2011.

14.1.1 Schedule II A

LM – 1

Affix a self attested photograph of proprietor/managing partner/ managing director etc.

[Application form for licence as **manufacturer** of weight or measure under The Legal Metrology Act, 2009 and Rule 6(1) of Maharashtra Legal Metrology (Enforcement) Rules, 2011]

To,

Particulars	To be filled by the applicant	Comments of the inspecting officer
1	2	3
1. Name of the manufacturing concern for which licence is desired	
2. Complete address of the concern	
3. Whether premises are owned/rented/taken on lease/leave licence? Attach supporting documents	
4. Date of establishment of the concern.	
5. Name(s) and address(es) of proprietor/ Partners / Managing Director or Directors in case of Limited company, along with their father's/husband's name.	
6. Registration number and date of Licence under	

Factory Act/Shops and Establishments Act,
Municipal Trade licence

7. nature of business activities at present
8. the type of weight or measure proposed to be manufactured
9. the number of persons employed/proposed to be employed
 - (i) Skilled
 - (ii) Semi-skilled
 - (iii) Unskilled
 - (iv) Specialist trained in the line
10. names and educational qualification of qualified personnel
11. the monogram or trademark intended to be imprinted on weights and measures to be manufactured.
12. details of machinery, tools, and accessories, available to manufacture weight, measure etc.
13. details of foundry/workshop facilities available. whether ownership, long-term lease etc.
14. facilities for steel casting and hardness testing of vital parts etc. or other means.
15. availability of electric energy.
16. whether loan received from Government or financial institution? If so, give details.
17. name of bankers, if any.
18. VAT/ Sales Tax Registration Number/CST Number/ Professional Tax registration Number/IT Number
19. have you applied previously for a manufacturing licence? If so, when and what was the result?

20. (a) Whether the item(s) proposed to be
manufactured, will be sold within the State or
outside the state or both?
- (b) details of Model Approval received from
Government of India;
- (c) when can you produce samples of your products,
for inspection for which licence is desired ?

To be certified by the applicant(s)

Certified that I/We have read The Legal Metrology Act, 2009 and The Maharashtra Legal Metrology (Enforcement) Rules, 2011 and agree to abide by the same and also the administrative orders and instructions issued or to be issued thereunder.

I/We agree to deposit the scheduled licence fees with Government as soon as required to do so by the Licencing 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 Inspecting Officer:

Place:

Date:..... Signature and Designation of Inspecting
Officer

Final orders of Licencing Authority

Licence granted / refused:

Licence number:

Valid till:

Place:

Date: Signature and Designation

14.1.2 Schedule II-A

Affix a self attested photograph of proprietor/managing partner/ managing director etc.

LR – 1

[Application form for licence as **Repairer** of weight or measure under The Legal Metrology Act, 2009 and Rule 6(1) of Maharashtra Legal Metrology (Enforcement) Rules, 2011]

To,

Particulars	To be filled by the applicant	Comments of the inspecting officer
1	2	3
1. Name of the concern seeking the licence
2. Complete address of the concern
3. Whether premises are owned/rented/taken on lease/leave licence? Attach supporting documents
4. Date of establishment of the concern
5. Name(s) and address(es) of proprietor/ Partners / Managing Director or Directors in case of Limited company, along with their father's/husband's name.
6. Registration number and date of Licence under Factory Act/Shops and Establishments Act, Municipal Trade licence.
7. Professional Tax/Income Tax registration Number etc if any
8. The type of weight or measure you propose to repair.
.....		
9. Area in which you wish to operate.

10. Previous experience in the line if any
11. Number of staff employed or proposed to be
employed:
 - (i) Skilled
 - (ii) Semi-skilled
 - (iii) Unskilled
 - (iv) Specialist trained in the line
12. Names and educational qualification of
qualified personnel
13. Details of machinery/tools/accessories available.
14. Availability of electric energy.
15. Give details of
 - a) Loan articles
 - b) Test articles
16. Have you applied previously for a repairing
licence? If so, when and what was the result?

To be certified by the applicant(s)

Certified that I/We have read The Legal Metrology Act, 2009 and The Maharashtra Legal Metrology (Enforcement) Rules, 2011 and agree to abide by the same and also the administrative orders and instructions issued or to be issued thereunder.

I/We agree to deposit the scheduled licence fees with Government as soon as required to do so by the Licencing 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 Inspecting Officer:

Place:.....

Date: _____ Signature and Designation of Inspecting Officer _____

Final orders of Licencing Authority

Licence granted/refused:

Licence number :

Valid till:

Place:.....

Date: _____ Signature and Designation _____

14.1.3 Schedule II-A

Affix a self attested photograph of proprietor/managing partner/ managing director etc.

LD – 1

[Application form for licence as **dealer** in weight or measure under The Legal Metrology Act, 2009 and rule 6(1) of Maharashtra Legal Metrology (Enforcement) Rules, 2011]

To,

Particulars	To be filled by the applicant	Comments of the inspecting officer
1	2	3
1. Name of the concern seeking the licence.
2. Complete address of the concern
3. Date of establishment of the concern		
4. Name(s) and address(es) of proprietor/ Partners / Managing Director or Directors in case of Limited company, along with their father's/husband's name.
5. Registration number and date of Licence under Factory Act/Shops and Establishments Act, Municipal Trade licence.
6. Categories of weight or measure 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 weight or measure,
etc. from places outside the State/Country?
If so indicate sources of supply.
(Give details of manufacturer's trademark/
monogram and his licence number) and provide
- a. Details of Registration of Importer of
weight or measure, if any
 - b. Approval of model, of weight or measure
imported to India issued by Government of India
9. Have you applied previously for a Dealer's
licence? If so, when and what was the result?

To be certified by the applicant(s)

Certified that I/We have read The Legal Metrology Act, 2009 and The Maharashtra Legal Metrology (Enforcement) Rules, 2011 and agree to abide by the same and also the administrative orders and instructions issued or to be issued thereunder.

I/We agree to deposit the scheduled licence fees with Government as soon as required to do so by the Licencing 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 Inspecting Officer:

Place:

Date: _____ Signature and Designation of Inspecting Officer _____

Final orders of Licencing Authority

licence granted/refused:

licence number:

Valid till:

Place:

Date: _____ Signature and Designation _____

14.1.4 Schedule II-B**LM-2**

[Application form for **renewal of licence as manufacturer** of weight or measure under The Legal Metrology Act, 2009 and Rule 6 (2) of Maharashtra Legal Metrology (Enforcement) Rules, 2011]

To,

Particulars	To be filled by the applicant	Comments of the inspecting officer
1	2	3
1. Name and complete address of the manufacturing concern for which renewal of licence is desired.
2. Manufacturing Licence No.
3. Name(s) and address(es) of proprietor /Partners / Managing Director/Directors in the case of Limited company, along with their father's/ husband's name.
4. Whether premises are owned/rented/leased/leave licenced. Attach supporting documents.
5. (a) Type of weights and measures which are manufactured as per licence granted.
(b) Do you propose any change?
6. The monogram or trademarks used weight or measure manufactured by you.
7. Details of workshop facilities available.
8. Details of production and sales in the last 5 years.
9. Registration number and date of Licence under Factory Act/Shops and Establishments Act , Municipal Trade licence.

10. Registration Number of VAT/Sales
Tax/CST/Professional Tax/Income Tax.
11. Any change in constitution of the firm or
qualified personnel since issue or renewal
of licence. If yes, give details.

To be certified by the applicant(s)

Certified that I/We have read The Legal Metrology Act, 2009 and The Maharashtra Legal Metrology (Enforcement) Rules, 2011 and agree to abide by the same and also the administrative orders and instructions issued or to be issued thereunder.

I/We agree to deposit the scheduled licence fees with Government as soon as required to do so by the Licencing Authority.

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

Place :

Date :

Signature and Designation

14.1.5 Schedule II-B

LR-2

[Application form for **renewal of licence as Repairer** of weight or measure under The Legal Metrology Act, 2009 and Rule 6 (2) of The Maharashtra Legal Metrology (Enforcement) Rules, 2011]

To,

Particulars	To be filled by the applicant	Comments of the inspecting officer
1	2	3
1. Name and complete address of the repairing concern seeking renewal of the licence.
2. Repairer's Licence Number.
3. Name(s) and address(es) of proprietor/Partners / Managing Director/Directors in the case of Limited company, along with their father's/ husband's name.
4. Registration number and date of Licence under Factory Act/Shops and Establishments Act , Municipal Trade licence.
5. Registration Number of VAT/ Sales Tax/CST /Professional Tax/Income Tax.
6. Service tax registration number.
7 (a) The type of weight or measure repaired as per licence granted.
(b) Do you propose any change?
8 Area in which you are operating.
9 Give details of		

- a) Loan articles
b) Test articles
- 10 Give details of repairing and stamping of last 5 years.
- 11 Is there any change in constitution of the firm or
qualified personnel since issue or
renewal of licence? If yes, give details.

To be certified by the applicant(s)

Certified that I/We have read The Legal Metrology Act, 2009 and The Maharashtra Legal Metrology (Enforcement) Rules, 2011 and agree to abide by the same and also the administrative orders and instructions issued or to be issued thereunder.

I/We agree to deposit the Scheduled licence fees with Government as soon as required to do so by the Licencing Authority

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

Place :

Date :

Signature and Designation

14.1.6 Schedule II-B

LD-2

[Application form for **renewal of licence as dealer** in weight or measure under The Legal Metrology Act, 2009 and Rule 6(2) of The Maharashtra Legal Metrology (Enforcement) Rules, 2011]

To,

Particulars	To be filled by the applicant	Comments of the inspecting officer
1	2	3
1. Name and complete address of the concern seeking renewal of dealers licence
2. Dealer's Licence Number
3. Name(s) and address(es) of proprietor/Partners/ Managing Director/Directors in the case of Limited company, along with their father's/ husband's name.
4. Registration number and date of Licence under Factory Act/Shops and Establishments Act, Municipal Trade licence.
5. Categories of weight or measure sold at present.
6. Give details of sale of weight or measure done in the last 5 years.
7. Registration Number of VAT/ CST/Sales Tax/Professional 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 trademark/
monogram and his licence number) and provide
- (a) Details of Registration of Importer of
Weights and Measures, if any
- (b) Approval of model, of weight or measure
Imported to India issued by Government of India

To be certified by the applicant(s)

Certified that I/We have The Legal Metrology Act, 2009 and The Maharashtra Legal Metrology (Enforcement) Rules, 2011 and agree to abide by the same and also the administrative orders and instructions issued or to be issued thereunder.

I/We agree to deposit the scheduled licence fees with Government as soon as required to do so by the Licencing Authority.

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

Place :

Date :

Signature and Designation.

14.1.7 Schedule VIII

[See Rule 11]

LM-4

Register to be maintained by the manufacturer of weight or measure.

1. Name and address of the manufacturer
2. Description of the weight or measure
3. (i) Manufacturing licence No.
(ii) Date on which the licence was issued
(iii) Period of validity of the licence
4. Particulars of order, if any, suspension or
revocation of the licence.

Sr. No.	Month	Unsold stock from previous month	Quantity Manufactured during the month	Total (3+4)	Sold within the State		
					No. of items sold	Dispatch voucher no. and date	V.C. No., date and name of Division
1	2	3	4	5	6	7	8

Sold outside the State				Total sold (6+10)	Balance (5-13)	Remarks
Name of the State	No. of items sold	Dispatch voucher no. and date	V.C. No., date and name of Division			
9	10	11	12	13	14	15

14.1.8 Schedule VIII

[See Rule 11]

LR-4

Register to be maintained by the repairer in respect of weight or measure.

1) Name and address of the repairer

2) (i) Repairing licence No.

(ii) Date on which the licence was issued

.....

(iii) Period of validity of licence

.....

3) Particulars of order, if any suspension or

revocation of the licence.

Sr. No.	Date	Name of the user from whom weight or measure received for repairing	Items and their Nos. booked for repairs	Receipt No. and date of issue to the user
1	2	3	4	5

Amount of repairing charges ₹	Amount of verification fee ₹	Total amount ₹	V.C. No., date and name of Division	Date of return to the user	Remarks
6	7	8	9	10	11

14.1.9 Schedule VIII

[See Rule 11]

LD-4

Register to be maintained by dealer in weight or measure.

1. Name and address of the dealer
2. Description of the weight or measure
3. (i) Dealer licence No.
(ii) Date on which the licence was issued
(iii) Period of validity of licence
4. Particulars of order, if any, suspension or
revocation of the licence.

Sr. No.	Month	Unsold stock from the previous month	Quantity manufactured during the month	Total (3+4)
1	2	3	4	5

Sold within the State			Sold outside the State				Total sold (6+10)	Balance (5-13)	Remarks
No. of items sold	Dispatch voucher no. and date	V.C. No., date and name of Division	Name of the State	No. of items sold	Dispatch voucher no. and date	V.C. No., date and name of Division			
6	7	8	9	10	11	12	13	14	15

14.1.10 Schedule X

GOVERNMENT OF MAHARASHTRA

(Food, Civil Supplies and Consumer Protection Department)
Legal Metrology Organization
Legal Metrology Act, 2009

Rule 13 (7), 14(3) and 15(5) of The Maharashtra Legal Metrology
(Enforcement) Rules, 2011

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 verification/used by you, does not conform to the Standards established by the Act and Rules made thereunder. 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.

Sr. No.	Description of weight or measure	Defects found

Address of Legal Metrology Officer

Legal Metrology Officer,
-----Division.

Signature of the user/representative

14.1.11 Schedule XII

Legal Metrology Act, 2009

[Rule- 17(3) of The Maharashtra Legal Metrology (Enforcement) Rules, 2011]

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 Legal Metrology Officer

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

14.1.12 Schedule XIII

[See Rule 24(1)]

Form of appeal against any order or decision given by Controller or Legal Metrology Officer:

1. Name and address of the appellant :
2. No. and date of the order/decision of the Controller /:
Legal Metrology Officer against which the appeal
is preferred.(enclose copy of the order/decision)
3. Whether the appellant desires to be heard :
in person or through an authorized representative
4. Grounds of appeal

:

Place:

Date:

Signature of the Appellant.

14.1.13 Schedule XIII of Legal Metrology (General) Rules, 2011

Nomination

Format for nomination of the Director by the Company

[See Rule 29 of The Legal Metrology (General) Rules, 2011]

Notice is hereby given that Shri/ Smt/ MrsDirector of the(name and address of the company) has been nominated by the company by a Resolution passed at their meeting held onat to be in-charge of, and responsible for the conduct of business of the company or any establishment/branch/unit thereof and is authorized to exercise all such powers and take all such steps as may be necessary or expedient to prevent the commission of any offence by the said company under The Legal Metrology Act, 2009.

Shri/ Smt/ Ms, Designation.....has accepted the said nomination and copy of said acceptance is enclosed herewith.

A certified copy of the said Resolution is also enclosed.

Place:.....

Managing Director / Secretary of

Date:.....

(Name of the company)

Note:- Score out the portion which is not applicable.

14.2 ANNEXES

14.2.1 ANNEX I

(SEE CLAUSE 4.3.2 OF CHAPTER IV)

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

From: (Name and Address of the Applicant)

.....

Date- -----

To
The Inspector of Legal Metrology,
.....DivDist.
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, cap; 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

Date:
Place:

(Name and Designation)

14.2.2 ANNEX II

(SEE CLAUSE 4.3.2 OF CHAPTER IV)

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

Inspector of Legal Metrology,
Div.
Address.....
Date

To,
.....

Sub:- verification of weight or measure at your premises

Ref: Your application dated

With reference to above this is to inform you that verification and stamping of the referred weight or measure will be carried out on You are requested to deposit the verification fee of ₹..... 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 weights: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 of Legal Metrology,
.....Div.Dist.

14.2.3 ANNEX III

(SEE CLAUSE 5.2 OF CHAPTER V)

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.

14.2.4 ANNEX IV

(SEE CLAUSE 5.2 OF CHAPTER V)

Undertaking for seized and detained property

UNDERTAKING

With reference to the seizure receipt no. _____ dated _____ and panchnama dated _____ issued to me by Inspector of Legal Metrology, Div. _____ Dist _____ 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 whichweight 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

14.2.5 ANNEX V

(SEE CLAUSE 5.5 OF CHAPTER V)

Notice

No/ILM/.../ V. and S./20...../....
Office of The Inspector of Legal
Metrology,
Division.....District.....
Date-

To,
M/s.....

.....

Subject- Verification and stamping of weight or measure

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

During my inspection today I found that the following weight or measure being used by you were due for verification and stamping onUse of unverified weight or measure is an offence under Legal Metrology Act, 2009 and Rules made thereunder. 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 of Legal Metrology,
.....Div.Dist.

14.2.6 ANNEX VI

(SEE CLAUSE 5.7 OF CHAPTER V)

A. Inspection Report of Inspector's office

1. General

Office Inspection of the Inspector of Legal Metrology, -----Division ----
---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 ₹	Actual ₹	Expected ₹	Actual ₹
1.	Manufacturers				
2.	Dealers				
3.	Repairers				
4.	Traders				
5.	Hawkers				
6.	Industries				

7.	Govt./Semi Govt. Offices				
8.	Co-op Soc.				
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	Particular	Last Cycle		Current Cycle	
		Expected	Actual	Expected	Actual
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 ₹				
4.	No. of cases acquitted by the Court				
5.	No. of cases compounded				
6.	Amount of compounding fees in ₹				
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	Traders	
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	Inspections 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
Legal Metrology Officer.

B. Inspection report of Assistant Controller's Office

Inspection Report of the office of the Assistant Controller of Legal Metrology, _____ District, conducted from _____ to _____ by the office of the Controller of Legal Metrology, Maharashtra State, Mumbai / Deputy Controller of Legal Metrology, _____ Region

The earlier office inspection of the office of the Assistant Controller of Legal Metrology _____ 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 _____ inspectorial divisions in the district

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

Sr. No.	Value of Ticket	Nos.	Amount in ₹.
1	₹ 1		
2	₹ 2		
3	₹ 5		
4	₹ 10		
		Total	

- vi. Details Regarding Permanent and Temporary Posts:

Sr. No.	Designation	Detailed Description					
		Sanctioned Posts	Filled Posts	Vacant Posts	Permanent Posts	Temporary Posts	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 the Employee/Officer	Designation

- xiii. Complaint 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 of Class IV Employees:

viii. Bills Regarding General Provident Fund Account of Class III Employees:

ix. Expenditure Statement for the Year _____

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

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

Details	Expected Target	Achievement	Percentage
Verification and stamping fees in ₹			
Compounding amount in ₹			
Registered cases under weight or measure			
Registered cases under PC Rules			

ii. Comparative Statement

Details	Upto _____ (Previous Year Same Month)	Upto _____ (Current Year Same Month)	Difference
Verification and stamping fees in ₹			
Compounding amount in ₹			
Registered cases under weight or measure			
Registered cases under PC Rules			

- iii. Prosecution register:
 - a) Compounded cases
 - b) Closed cases due to non traceability of accused etc.
 - c) Clubbed cases
- iv. Packer registration:
- v. Pending Cases with Inspectors:

District	Up to 3 Months	Between 3 and 6 Months	Above 6 Months
weight or measure cases			
PCR Cases			
Total			

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

Sr. No.	Description	Repairer	Dealer
1	Renewal of Licence		
2	Pending for Renewal		
3	New Applications Received		
4	Pending Applications		

- vii. General Remarks:

Controller of Legal Metrology/
Deputy Controller of Legal Metrology

C. Inspection Report of Deputy Controller's Office:

Inspection Report of the office of the Deputy Controller of Legal Metrology, _____ Region, conducted from _____ to _____ by the office of the Controller of Legal Metrology, Maharashtra State, Mumbai.

The earlier office inspection of the office of the Deputy Controller of Legal Metrology _____ Region was conducted from _____ to _____ by the office of the Controller of Legal Metrology, Maharashtra State, Mumbai and the compliance report thereof was submitted on _____.

1. About Establishment:

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

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

There are _____ number of districts and _____ number of inspectorial divisions in the region

- i. Structure and working procedure:
- ii. Pending Enquiry (if any):
 - a) Primary enquiry
 - b) Departmental enquiry

iii. Pension Matters:

iv. Government Resolution and Circular Files:

v. Postage Stamp Register (Proforma A and B):

Sr. No.	Value of Ticket (₹)	Nos.	Amount (₹)
1	₹ 1		
2	₹ 2		
3	₹ 5		
4	₹ 10		
		Total ₹	

vi. Details Regarding Permanent and Temporary Posts:

Sr. No.	Designation	Detailed Description					Total
		Sanctioned Posts	Filled Posts	Vacant Posts	Permanent Posts	Temporary Posts	
1	Deputy Controller						
2	Assistant Controller						
3	Superintendent						
4	Inspector						
5	Senior Clerk						
6	Clerk / Typist						
7	Field Assistant						
8	Lab Assistant						
9	Mistry						
10	Driver						
11	Peon						
	Total						

- vii. Leave Matters:
- viii. Matters Regarding Regularization of Leave:
- ix. New Appointments:
- x. Quarterly / Half Yearly Reports:
- xi. Trainings:
- xii. Casual Leave Register:
- xiii. Earned Leave / Other Leave Register:
- xiv. 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 the Employee / Officer	Designation

- xv. Complaint Register:
- xvi. Register Regarding RTI Act:
- xvii. Service Books:

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

- xviii. Details about Office Inspection Conducted by the Deputy Controller:
- xix. Stationery Indent Register:
- xx. Seniority List Register:
- xxi. Roster:
- xxii. Transfer and Deputation:
- xxiii. Assured Service Progress Scheme:

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 of Class IV Employees:
- viii. Bills Regarding General Provident Fund Account of Class III Employees:
- ix. Expenditure Statement for the Year _____

Sr. No	Details	Pay (Gross) (₹)	Telephone Bill (₹)	Travelling Expenses (₹)	Office Expenditure (₹)	Office Expenditure for Private Vehicles (₹)	Rent, Rates and Taxes (₹)	Computer (₹)	Total Amount (₹)
1	2	3	4	5	6	7	8	9	10
1	Budgetary Sanctioned Grant for the Year 20__ - __								
2	Expenditure Since April 20__								
3	Balance Grant ₹								

- x. Travelling Allowance Bills:
- xi. Pay Bills:
- xii. Office Expenditure:

xiii. Income Tax:

xiv. Log Book of Government Vehicles:

xv. Allied Entries of Government Vehicles:

xvi. Tour Diary of Deputy Controller:

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

i. Description of work done

Details	Expected Target	Achievement	Percentage
Verification and stamping fees in (₹)			
Compounding amount (₹)			
Registered cases under weight or measure			
Registered cases under PC Rules			

ii. Comparative Statement

Details	Upto _____ (Previous Year Same Month)	Upto _____ (Current Year Same Month)	Difference
Verification and stamping fees in ₹			
Compounding Amount in ₹			
Registered Cases under weight or measure			
Registered Cases under PC Rules			

iii. Pending Cases with Inspectors:

District	Up to 3 Months	Between 3 to 6 Months	Above 6 Months
weight or measure cases			
PCR cases			
Total			

iv. Pending Cases of Inspectorial Division During Current Year

(District Wise):

District –

Sr. No.	Division	Compounding Case Nos.

v. Regarding Weight or Measure Licences (Repairer / Dealer):

Sr. No.	Description	Repairer	Dealer
1	Renewal of Licence		
2	Pending for Renewal		
3	New Applications Received		
4	Pending Applications		
5	Rejected Applications		

vi. Prosecution register:

- a) Compounded cases
- b) Closed cases due to non traceability of accused etc.
- c) Clubbed cases

vii. Pending High Court / MAT Cases:

Sr. No.	Court Case No./Year	Name of the Petitioner	Division	Remarks

viii. Secondary Standards:

ix. About RRSL Certification:

x. General Remarks:

Signature
Controller of Legal Metrology,
Maharashtra State, Mumbai

14.2.7 ANNEX VII

(SEE CLAUSE 6.1 OF CHAPTER VI)

Format of Prosecution Register to be kept in the office of the Inspector

Case R.NO	Name and add. of accused	Seizure receipt no. and date /panchanama	Details of seized articles	Violation sec/Rule	Date of issue of compounding notice	Date of receipt of consent for compounding	Date of submission of case to A.C./D.C for compounding	Date of receipt of compounding order	Order no. with date and compounding amount (₹)	Money receipt/challan no. and date
1	2	3	4	5	6	7	8	9	10	11

Date of filing the case in court	Name of the court and c.c. no.	Dates of hearing	Final court order with date	Details of seized articles returned	Signature of accused or his authorized person	Signature of the Inspector	Remark
12	13	14	15	16	17	18	19

14.2.8 ANNEX VIII

(SEE CLAUSE 6.2.9 OF CHAPTER VI)

A) Format of letter for obtaining name and addresses of responsible person(s)

No/Ilm/...../name & address/20.../.....
Office of the Inspector of Legal Metrology
Division, District.....
Date.....

To

The Assistant Controller of Legal Metrology,

..... District.

Subject- To provide the name(s), address(es) of the responsible persons.

Reference- Seizure Receipt No.....dated.....

Respected Sir,

This office has made out a case against the following establishment for the violation of provisions under The Legal Metrology Act, 2009 and Rules made thereunder. This office has issued a notice to the below mentioned establishment but till now no reply is received, from their end.

You are hereby requested to provide the name(s) and address(es) of the responsible persons of the said establishment for taking further action.

M/s.

.....

Thanking you in advance. I seek your co-operation and prompt action.

Yours Faithfully,

Inspector of Legal Metrology,
..... Division.

B) Format of letter for obtaining name(s) and address(es) of responsible person(s) from AC of any district within the State

No/Aclm/...../name and address/20.../...
Office of the Assistant Controller of Legal
Metrology..... District.
Date.....

To

The Assistant Controller of Legal Metrology,
..... District.

Subject- To provide the name(s) and address(es) of the responsible persons.

Reference- 1) Seizure Receipt no.....Dated
2) The letter no.....dated.....of Inspector of Legal
Metrology, Division.....

Respected Sir,

The Inspector of Legal Metrology, Division....., has made out a case against the following firm/company located in your jurisdiction, for the violation of provisions under The Legal Metrology Act, 2009 and the Rules made thereunder.

You are hereby kindly requested to provide the name(s) and address(es) of the responsible person(s) of the firm/company for further legal proceedings.

Name and Address of firm/Company,
Thanking you in advance. I seek your co-operation and prompt action.

Yours Faithfully,

Assistant Controller of Legal Metrology,
..... District.

Copy To- For information

- 1) The Dy. Controller of Legal Metrology,.....Region
- 2) The Dy. Controller of Legal Metrology,,.....Region

C) Format of letter for obtaining name(s) and addresses of responsible person(s) from the Controller of another State

No/Aclm/...../name and address/20.../...
Office of the Assistant Controller of Legal
Metrology..... District.
Date.....

To,
The Controller of Legal Metrology,
.....State .

Subject-- To provide the name(s) and address(es) of the responsible persons.

Reference- 1) Seizure Receipt no.....dated
2) The letter no.....dated.....of Inspector of Legal
Metrology, Division.....

Respected Sir,

The Inspector of Legal Metrology, Division....., has made out a case against the following firm/company located in your State, for the violation of the provisions of The Legal Metrology Act, 2009 and the Rules made thereunder. May I request you to provide the name(s) and address(es) of the responsible person(s) of the firm/company, as mentioned below as the said Inspector did not get any response from the firm/company. I approach you for this information to enable me to take further legal proceedings.

Name and Address of firm/Company,
.....

Thanking you in advance. I seek your co-operation and prompt action.

Yours Faithfully,

Assistant Controller of Legal Metrology,
.....District.

Copy To, for information

- 1) The Controller of Legal Metrology, M.S., Mumbai
- 2) The Dy. Controller of Legal Metrology,Region.

14.2.9 ANNEX IX

(SEE CLAUSE 6.3 OF CHAPTER VI)

Proforma for compounding Notice

No/Ilm/...../Notice/20.../.....
Office of the Inspector of Legal Metrology
Division District.....
Date.....

To,
M/s
.....

Sub: - 1)The Legal Metrology Act, 2009.
2)The Legal Metrology (P.C.) Rules, 2011.
3) The Maharashtra Legal Metrology (Enf.) Rules, 2011.
Ref.:- Seizure Receipt 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 Deputy Controller/Assistant
Controller of 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 Rule(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,

Name(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 of Legal Metrology,
.....Division, Dist.

Copy to,

The Assistant Controller / Dy. Controller of Legal Metrology
.....Dist./.....Region.

14.2.10 ANNEX X

(SEE CLAUSE 6.3 OF CHAPTER VI)

Proposal for compounding

No/Ilm/...../Comp./20.../.....

Office of the Inspector of Legal Metrology

Division District.....

Date.....

To,

The Dy.Controller/ Asst.Controller of Legal Metrology

.....Dist/ Region.

(Through- Assistant Controller of Legal Metrology Dist)

Subject- Compounding of the Offence

Respected Sir,

An offence has been registered against Shri.....of
M/s.....residing atand whose
occupation isfor 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 / / . 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) a copy of complaint along with court case number and next date of
hearing if case is pending in the court.

Yours faithfully,

Inspector of Legal Metrology,
-----Division.

No/ACLM/...../Prosecution/...../20
Office of the Assistant Controller
of Legl Metrology,District.
Date:

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

Assistant Controller of Legal Metrology,
.....District.

14.2.11 ANNEX XI

(SEE CLAUSE 6.3 OF CHAPTER VI)

Compounding order

No/D.C./A.C./_____/compounding/20.../
Office of the Deputy/Asst. Controller of
Legal Metrology, _____Region/Dist.
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 of Shri./M/s.....dated.....

4) Proposal of Inspector of Legal Metrology,
Div.....Dist.....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 Maharashtra Legal Metrology (Enforcement) Rules,
2011 by submitting their consent/ reply in writing.

Therefore, in exercise of the powers u/s 48 (3) of The Legal Metrology
Act, 2009 and Rule 25 of the Maharashtra Legal Metrology

(Enforcement) Rules, 2011, and powers conferred upon me vide order LMO/2010/410/C.R.175 (Part-2)/C.P.4 dated 29th July, 2011 by the Controller of Legal Metrology, I Shri. _____ hereby determine the amount of compounding for the above offence of ₹. _____ (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.

Deputy/ Assistant Controller
of Legal Metrology.....
Region/Dist

M/s. _____

Copy to,

1) Inspector of Legal Metrology _____ Div.

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 packages 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) The Deputy/Assistant Controller of Legal Metrology.....for information.

Deputy/Assistant Controller of Legal Metrology,
..... Region/District.

14.2.12 ANNEX XII

(SEE CLAUSE 6.3 OF CHAPTER VI)

Compounding Case Register

Prosecution Register in the Office of the Assistant / Deputy Controller
Legal Metrology.....District / Region

Year.....

Sr. No.	Name and Address of the Accused	Division/ District	Business	Date of Offence	Contravention of Section / Rules	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/D.C of 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

14.2.13 ANNEX XIII

(SEE CLAUSE 6.7 OF CHAPTER VI)

Intimation letter to accused

Case Reg No. /20...-20.....
NO/ILM/...../Prosecution/20.../...
Office of The Inspector of 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 thereunder 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 Maharashtra Legal Metrology (Enforcement) Rules, 2011 punishable under rule....

The following persons are requested to attend the Court on the above-mentioned date and time.

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

Inspector of Legal Metrology,
Division.....District.....

Copy submitted for information to,
Hon. C.J.M/Judicial Magistrate First Class,
Court No. _____ at _____

14.2.14 ANNEX XIV

(SEE CLAUSE 6.7 OF CHAPTER VI)

Form of complaint

Government of Maharashtra

(Food, Civil Supplies and Consumer Protection Dept.)

(Legal Metrology Organization)

The Legal Metrology Act, 2009 /The Legal Metrology (Packaged Commodities) Rules, 2011/ Maharashtra Legal Metrology (Enforcement) Rules, 2011.

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 of Legal Metrology, division _____ 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 Legal Metrology Act 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 Maharashtra Legal Metrology (Enforcement) Rules, 2011 and is, therefore guilty of the offence punishable under section _____ of Legal Metrology Act, 2009 and under Rule _____ of The Legal Metrology (Packaged Commodities) Rules, 2011/ Maharashtra Legal Metrology (Enforcement) Rules, 2011.

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 :
Address of the complainant

Inspector of Legal Metrology,
.....Division.

.....
.....

Case papers submitted as under:

- 1) Original copy of Seizure receipt ()
- 2) Original Panchnama copy ()
- 3) Complaint form ()

14.2.15 ANNEX XV

(SEE CLAUSE 6.7 OF CHAPTER VII)

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 of Legal Metrology

_____ Div.

..... 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, copy of which is enclosed herewith for reference. Whereas, amount of compounding has been deposited and a copy of Money Receipt /Challan 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 :

Place-

Inspector of Legal Metrology,

.....Division.

14.2.16 ANNEX XVI

(SEE CLAUSE 7.7 OF CHAPTER VII)

Prior Notice to Licencee

No/LMO/...../Inspection/20.../...

Office of The

Date-.../...../.....

To,

M/s.....

.....

Subject- Inspection of your shop/workshop

Reference-Your Manufacture/Dealer/Repair Licence No... date.....

Inspection of your shop/workshop is scheduled on

You are hereby directed to attend on date along with all original documents, updated registers, records and equipments with reference to your licence. Blank inspection format is enclosed herewith for your information and preparation.

Signature and designation of
Legal Metrology Officer.

14.2.17 ANNEX XVII

(SEE CLAUSE 7.7 OF CHAPTER VII)

Inspection report of manufacturer of weight or measure.

Sr. No.	Particulars	Comments of LMO
1.	Name and Address of licensee Firm	
2.	Name and Addresses of (Prop./Partners/Directors)	
3.	Licence No., Validity and Jurisdiction	
4.	Address of manufacturing premises	
5.	Date of last inspection	
6.	Date of current inspection	
7.	Whether manufacturing premises is owned or rented? Details of area acquired.	
8.	If the premises is rented, is there valid agreement?	
9.	Give particulars of approval of model	
10.	Is there any change in licence?	
11.	Whether other licences such as Shops and Establishments Act, SSI etc. are valid or renewed at the date of inspection?	
12.	Whether licensee kept updated register as per Rule 11 of The Maharashtra Legal Metrology (Enforcement) Rules, 2011?	
13.	Is there any complaint against licensee? If yes, give details.	
14.	Is any violation noticed by LMO? If yes, give details of action taken.	
15.	Details of raw materials for last 3 years (e.g. transducers, etc)	

16.	Whether production matches with quota of raw materials?	
17.	Whether total production tallies the amount of stamping fees?	
18.	Whether licensee submits Sales Tax returns? If yes, give details.	
19.	Whether licensee submits periodical reports or returns in due time?	
20.	Did LMO notice any discrepancy in the register or in the periodical returns? if yes, give details.	
21.	Did LMO notice any discrepancy between purchase, sale and in unsold stock? If yes, give details.	
22.	Is any weight or measure exported/ imported? If yes, give details	
23.	Weight or Measure Import - Export Registration No.	
24.	Model Approval No. in relation to Import	
25.	Is there any transaction of weight or measure without billing?	
26.	Did LMO notice any violation of provisions of The Legal Metrology Act, 2009 and Rules made thereunder? If yes details of action taken.	
27.	Details of test weights and measures along with Verification Certificate	
28.	General Remarks	

Place:
Date:

Legal Metrology Officer,
Designation

14.2.18 ANNEX XVIII

(SEE CLAUSE 7.7 OF CHAPTER VII)

Inspection Report of Repairer of Weight or Measure

Sr. No.	Particulars	Comments of LMO
1.	Name and Address of Licencee Firm.	
2.	Name and Addresses of (Prop./Partners/Directors)	
3.	Licence No., jurisdiction and validity	
4.	Address of workshop.	
5.	Date of last inspection.	
6.	Date of current inspection.	
7.	Whether place of workshop is owned or rented?	
8.	If the workshop is rented, is there valid agreement?	
9.	Is there any change in licence?	
10.	Whether other licences such as Shops and Establishments Act, service tax etc. are valid or renewed on the date of inspection?	
11.	How many repairing fee receipt books and number of receipts used since last inspection?	
12.	Testing and Loan weight or measure: Number of test and loan sets kept by repairer and whether it is verified and stamped? Give details of verification and stamping.	
13.	Names of skilled and unskilled employees	

14.	Number of occasions licensee made delay in returning the accepted weight or measure to the concerned.	
15.	Whether licensee kept updated register as per Rule 11 of The Maharashtra Legal Metrology (Enforcement) Rules, 2011?	
16.	Whether licensee submits periodical reports or returns in due time?	
17.	Is there any complaint against licensee? If yes, give details.	
18.	Did LMO notice any discrepancy in the register or in the periodical returns? If yes, give details.	
19.	General comments Is licence displayed? Is the name board displayed at the premises? Is electricity available?	
20.	Did LMO notice any violation of provisions of The Legal Metrology Act, 2009 and Rules made thereunder? If yes details of action taken.	
21.	General Remark	

Place:

Legal Metrology Officer,

Date:

Designation

14.2.19 ANNEX XIX

(SEE CLAUSE 7.7 OF CHAPTER VII)

Inspection Report of Dealer in weight or measure

Sr. No.	Particulars	Comments of LMO
1.	Name and Address of Licencee Firm	
2.	Name and Addresses of (Prop./Partners/Directors)	
3.	Licence No. and validity	
4.	Address of Business Place	
5.	Date of last inspection	
6.	Date of current inspection	
7.	Whether place of business is owned or rented?	
8.	If the premises are rented, is there valid agreement?	
9.	Is there any change in Licence?	
10.	Whether other licences such as Shops and Establishments Act, VAT, CST etc. is valid or renewed on the date of inspection?	
11.	Whether licensee kept updated register as per Rule 11 of The Maharashtra Legal Metrology (Enforcement) Rules, 2011?	
12.	Is there any complaint against licensee? If yes, give details.	

13.	Whether licensee submits periodical reports or returns in due time?	
14.	Did LMO notice any discrepancy in the register or in the periodical returns? If yes, give details.	
15.	Did LMO notice any discrepancy between purchase, sale and in unsold stock? If yes, give details.	
16.	Is there any weight or measure exported and imported? Give details	
17.	Weight or Measure Import - Export Registration No.	
18.	Model Approval No. in relation to Import	
19.	Is there any transaction of weight or measure without billing?	
20.	Did LMO notice any violation of provisions of The Legal Metrology Act, 2009 and Rules made thereunder? If yes give details of action taken.	
21.	General Remarks	

Place:

Date:

Legal Metrology Officer,
Designation

14.2.20 ANNEX XX

(SEE CLAUSE 7.8 OF CHAPTER VII)

Format of application for Registration as manufacturers, packers and importers of Packaged Commodities

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

- 1) Name of the applicant
- 2) Name(s) of the Proprietor/Partner/Director
- 3) Complete address of the premises
- 4) Number of establishments and their addresses
- 5) Name of the commodities
- (to be manufactured/ packed/ imported)

Signature of the applicant/
authorized person

(Applicant should attach copies of relative documentary proof in support of the above contents)

Declaration

I/ We

have read The Legal Metrology Act, 2009 and The Legal Metrology (Packaged Commodities) Rules, 2011 and agree to abide by the same.

I/ We also state that the contents given in the application are true and correct to the best of my/our knowledge.

Fees of ₹. 500/- for registration of manufacturer/packer/importer of pre-packed commodities is enclosed.

Signature of the applicant/
authorized person

14.2.21 ANNEX-XXI

(SEE CLAUSE 7.8 OF CHAPTER VII)

Government of Maharashtra
Food, Civil Supplies and Consumer Protection 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_____

Legal Metrology Officer

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.

14.2.22 ANNEX XXII

(SEE CLAUSE 8.1 OF CHAPTER VIII)

Government of Maharashtra
Food, Civil Supplies and Consumer Protection Department,
(Legal Metrology Organization)

Daily Summary Report of the Inspector

Date.....

Name of the Inspector..... Identification Stamp No.....

Division.....District.....Camp

1) Nature of Work done and Time

Sr. No.	Nature of work done		From	To	Total hours
1	2		3	4	5
1.	Verification and stamping done in office or camp office				
2.	Verification and stamping at users premises				
	Sr. No.	Name of location			
	1.				
	2.				
3.	Inspections				
	Name of places and locations	Number of inspections done			
	1.				
	2.				

4.	Miscellaneous work done				
	Name of places and locations	Nature of work done			
	1				
	2				
	3				
5.	Travelling Details				
	From	To	Distance Km.		
	1				
	2				
	3				
6.	Office work				
7.	Total hours				

2) Details of rejected weight or measure at time of verification and stamping

Name and address of user	Rejected weight or measure					Reason of rejection
	Weights	Liquid Measures	Length Measures	Weighing Instruments	Measuring Instruments	
1	2	3	4	5	6	7

1) Details of Prosecution under The Legal Metrology Act, 2009, The Maharashtra Legal Metrology (Enforcement) Rules, 2011 and The Legal Metrology (Packaged Commodities) Rules, 2011.

Sr. No.	Name and address of accused	Manufacturer/Whole-sale dealer/Retail-dealer/packer/importer/user of weight or measure or packaged commodities	Contravention of Section / Rule	Details of seized articles
1	2	3	4	5

4) Remarks

.....

Outward No.:- ILM/...../DSR/.....

Date :-

Inspector of Legal Metrology,
 Division.

Report Submitted To:-

The Assistant Controller of Legal Metrology,District.

5) Details of verification and stamping work done

Sr. No.	Weight or measure verified	Denomination		Fees ₹ per piece	Numbers (in office)	Numbers (out of office)	Total fees ₹
1	Bullion Weight	500 g and below		15/-			
		5 kg to 1 kg		20/-			
		10 kg		30/-			
2	Carat weight	1 mg (0.005 c) to 100 g (500 c)		20/-			
3	Cylindrical knob type	1 gm to 500 gm		5/-			
		1 kg		10/-			
		2 kg		15/-			
		5 kg and 10 kg		20/-			
4	Sheet metal weights (other than bullion)	1 mg to 500 mg		5/-			
5	Iron hexagonal, knob type weights and Parallel piped weights	1 g to 500 g		5/-			
		1 kg		10/-			
		2 kg		15/-			
		5 kg to 20 kg		20/-			
		50 Kg		25/-			
6	Standard weights for testing of high capacity weighing	For max. permissible relative error 0.5/10000	100 kg	75			
			200 kg	150			
			500 kg	300			

	machines		1000 kg	750			
			2000 kg	1500			
			5000 kg	3000			
		For max. permissible relative error 3.3/10000, 1.7/10000 and 1.0/10000	100 kg	50			
			200 kg	100			
			500 kg	200			
			1000 kg	500			
			2000 kg	1000			
			5000 kg	2000			
7	Capacity Measures	1 ml to 5 l		10			
		10 l, 20 l		20			
		50 l		50			
		100 l and above		50 for first 100 l + (₹7/- for every 100 l or part thereof) max. 5000/-			
8	Length measures	0.5 graduated at every cm and 1 m graduated at every cm		20/-			
		0.5 to 2 m		10/-			
9	Beam Scales class A and B	500 g and below		60/-			
		1 kg to 5 kg		100/-			
		10kg to 50 kg		150/-			
		100 kg		300/-			
		200 kg		400/-			

10	Beam Scales class C and B	500 gm and below		10/-			
		1 kg to 5 kg		15/-			
		10 kg to 50 kg		20/-			
		100 kg to 200 kg		100/-			
		300 kg to 1000 kg		200/-			
11	Non automatic weighing machines (Mechanical) Class III and IIII	1 Kg and below		15/-			
		1 kg	15 kg	30/-			
		15 kg	25 kg	60/-			
		25 kg	200kg	100/-			
		200kg	300 kg	200/-			
		300 kg	1500 kg	300/-			
		1500 kg	3000 kg	400/-			
		3000 kg	5000 kg	500/-			
		5000 kg	10000kg	1000/-			
		10000 kg	15000 0kg	2000/-			
		150000 kg	300000 kg	3000/-			
		300000 kg	400000 kg	4000/-			
12	Non automatic weighing machines (electronic) Class III and IIII	20 kg and below		100/-			
		20kg	300 kg	200/-			
		300 kg	1500 kg	300/-			
		1500 kg	3000 kg	500/-			
		3000 kg	10000 kg	1000/-			
		10000 kg	150000 kg	2000/-			
		150000 kg	300000 kg	3000/-			
		300000 kg	400000 kg	4000/-			

13	Non-automatic weighing machines (Electronics and mechanical) class I and II.	Not exceeding (kg)	But exceeding (kg)				
		Not exceeding 10 kg		200/-			
		50 kg	10 kg	250/-			
		1000 kg	50 kg	500/-			
		10000 kg	1000 kg	1000/-			
		50000 kg	10000 kg	2000/-			
		Exceeding 50000 kg		3000/-			
14	Automatic weighing machines (Electronics and mechanical)	Not exceeding 10 kg		200/-			
		50 kg	10 kg	250/-			
		1000 kg	50 kg	500/-			
		10000 kg	1000 kg	1000/-			
		50000 kg	10000 kg	2000/-			
		100000 kg	50000 kg	3000/-			
		Exceeding 100000 kg		4000/-			
15	Volumetric Measuring Instruments	Dispensing Pumps		1000/-			
		Totalizing Counters		500/-			
	Volumetric Measuring Instruments (Other than Dispensing Pumps, Totalizing Counters and Flow Meters)	Not exceeding 20 litres		200/-			
		20 l to 50 l		250/-			
		50 l to 100 l		500/-			
		Exceeding 100 l		500 for first 100 l + (₹250/- for every 100 l or part thereof)			

16	Flow Meters	Flow rate up to 100 l/min	2000/-			
		Flow rate above 100 l/min - up to 500 l/min	3000/-			
		Flow rate above 500 l/min	5000/-			
		Totalizing counter	500/-			
17	Vehicle Tank					
18	Storage Tank					
19	C.N.G. Pumps	Dispenser	1000/-			
		Totalizing counter	500/-			
20	L.P.G. Pumps	Dispenser	1000/-			
		Totalizing counter	500/-			
21	Peg measures	30 ml	50/-			
		60 ml	50/-			
		100 ml	100/-			
	Total					

6) Details of Fees Collection

i) Verification and Stamping fees (₹)	-----
ii) Additional fees (₹)	-----
iii) T.A., D.A/ Handling Charges (₹)	-----
iv) Compounding fees(₹)	-----
v) Fees for duplicate (₹) Verification Certificate (₹)	-----
vi) Fees for Licence's / renewal/ alteration/ duplication (₹)	-----
vii) Total fees collected (₹)	-----

7) Fees Received Through

i) Money Receipt (₹)	-----
ii) Challan (₹)	-----
Total (₹)	-----

Inspector of Legal Metrology,
.....Division.

14.2.23 ANNEX XXIII

(SEE CLAUSE 8.2 OF CHAPTER VIII)

Cash Balance Report (CBR)

Name of Inspector -----

Identification Stamp No

Division -----

District.....

Form showing weekly charges collected for the week from -----
(Monday) to... (Sunday)

Sr. No.	Date	Name and Address of the User whose weight or measure was verified and stamped	Trade	Number of weight or measure				Fees ₹				Verification certificate number	Particular of fee deposited
				Weights	Measures	Weighing scales	Other	Verification and Stamping	Additional fees	Other (T.A.D.A.)	Total		
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Total													

Verification and stamping Fees

Challan No.	Date	Amount (₹)
Total		

Details of fees collected

1) Verification and Stamping Fees (₹)	.....
2) Compounding Amount (₹)	.....
3) Other fees (₹)	.....
Total (₹)	.....

Submitted to the Assistant Controller of Legal Metrology,.....

No/ILM/...../CBR/.....

Date.....

Inspector of Legal Metrology
.....Division.

14.2.24 ANNEX XXIV

(SEE CLAUSE 8.4 OF CHAPTER VIII)

Campaign Report

- 1) Name of the campaign:
- 2) Name of division/district:
- 3) Period of campaign:

Sr. No.	Name and address of the premises visited	Date of inspection	Violation of Section/Rules	No. and date of seizure Receipt/ Panchnama	Details of seized articles	Remarks
1	2	3	4	5	6	7

Date.....

Inspector of Legal Metrology,
.....Division.

14.2.25 ANNEX XXV

(SEE CLAUSE 8.5 OF CHAPTER VIII)

Reconciliation Report

No/Ilm/...../Reconciliation/
Office of the Inspector of Legal
Metrology
Div.....,
Date-...../...../.....

To,

Treasury Officer/Sub Treasury Officer
.....

Subject- Reconciliation of amount remitted to Government Treasury.

Reference—Amount credited in bank for the month of.....

Respected Sir,

This office has credited the verification and stamping fees, compounding amount and other fees through challans in the bank.....
.....during the month.....in the **Head 1475- other general economic services, (106) fees for stamping weights and measures, other fees, fine and forfeitures.** as in statement given below.
Please verify the same and issue the certificate.

Sr.No.	Name of depositor	Date of deposit in bank	Name of bank and branch or treasury office	Bank challan No. and date of realization	Amount Deposited ₹			Bank scroll number
					Verification and stamping fees	Compounding amount	Other fees	
1	2	3	4	5	6	7	8	9
Total								

Total ₹.....In words Rupees.....

Thanking You,

Yours Faithfully,

Inspector of Legal Metrology ,
Division... , District...

14.2.26 ANNEX XXVI

(SEE CLAUSE 8.7 OF CHAPTER VIII)

PROFORMA 'A'

Annual work programme for the year from date 01/04/ to ----- 31/03/

i) Name of the Inspector:- _____ Identification No. _____

ii) Name of the Division:- _____

Sr. No.	Name of the tahasil	Place of camp office	No. of villages in camp	Maximum distance from camp office	verification period		Verification and stamping fees (₹)	
					Last year	Expected in current year	Actual collection in last year	Excepted collection in current year
1	2	3	4	5	6	7	8	9

Manufacturer	Repairer	Dealer	Trader	Hawker	Industries	Govt. and semi-Government establishments	Associations and Co-op. Societies
10	11	12	13	14	15	16	17

Actual / Expected no. of users of weight or measure undertaken /to be undertaken								
Railway stations	Post and Tel. office	Petrol Pump and CNG/LPG	Auto/Taxi meters	Storage Tank	Flow meters	Vehicle tanks	Others	Total
18	19	20	21	22	23	24	25	26

Inspection and surprise visits		Expected re-verification period of working standards	Remarks
Actual no. of inspections and surprise visits last year	Expected no. of inspections and surprise visits in current year		
27	28	29	30

Inspector of Legal Metrology,
-----Division.

PROFORMA 'B'

Annual Work Programme for the year from date 01/04/ ----- to 31/03/-----

i) Name of the Inspector:- _____ Identification No. _____

ii) Name of Division:-

Sr. No.	Category	Total Number of users of weight or measure			Expected collection of fees for current year (₹)			Actual collection of fees during last cycle (₹)			Remark
		Yearly collection	Two-yearly collection	Total	Yearly collection	Two-yearly collection	Total	Yearly collection	Two-yearly collection	Total	
1	2	3	4	5	6	7	8	9	10	11	12
1.	Manufacturers										
2.	Dealers										
3.	Repairers										
4.	Traders										
5.	Hawkers										
6.	Industries										
7.	Government and Semi-Government										

8.	Associations and Co-op. Societies										
9.	Railways										
10.	Post and telegraph										
11.	Petrol pump and CNG/LPG										
12.	Auto/Taxi meters										
13.	Storage tank										
14.	Flow meters										
15.	Vehicle tanks										
16.	Other										
Total											

Inspector of Legal Metrology,
.....Division.

Submitted to the

Deputy Controller of Legal Metrology Region for approval.

14.2.27 ANNEX XXVII

(SEE CLAUSE 10.1 OF CHAPTER X)

Consent Letter

I Shri/Smt..... R/o.....
have willingly given my owned premises having area.....sq. m. (No.
of rooms) at (address).....on rent basis
to the Inspector of Legal Metrology Division District.....
for temporary camp office from to

I shall handover this premises to Inspector of Legal Metrology Office on
rent for ₹ The rent shall be paid after vacating the room.
The rent is inclusive of the charges of electricity and water etc.

Address of camp office

Place:

Signature of owner of the house

Date:

Name --

14.2.28 ANNEX XXVIII

(SEE CLAUSE 10.1.2 OF CHAPTER X)

Notice regarding verification and stamping

No/Ilm/ /V & S/...
Office of the Inspector of Legal
Metrology, Div.-----
Date-.....

To,

M/s.....
.....

Subject- The Legal Metrology Act, 2009 and The
Maharashtra Legal Metrology (Enforcement) Rules, 2011.

It is hereby informed that as per the provision of Rule 12 of The Maharashtra Legal Metrology (Enforcement) Rules, 2011, every person using any weight or measure in any transaction or for protection should get his weight or measure verified or re-verified periodically from this office. Hence you are requested to present all weight or measure in this office/camp office atonata.m./p.m. for verification and stamping.

The fees payable for verification and stamping shall be as specified by Rule 15 in Schedule XI. The user shall pay/deposit the fees in advance to this office for the same. Non compliance of the above provision leads to the violation of Rule 23 of the above said Rules.

Inspector of Legal Metrology,
Division.....District.....

Note- The user shall make the necessary arrangements for verification and stamping of weight or measure.

14.2.29 ANNEX XXIX

(SEE CLAUSE 10.1.2 OF CHAPTER X)

VOUCHER

Date:

Place:

Received the sum of ₹..... from the Inspector of Legal Metrology,
Division..... District.....towards the cartage and mazdoor charges
fromto.....of the following description

Description of office kit	Weight of office kit	Distance between the places	Nature of expenditure	Registration No. of vehicle	Remarks
Working standard balances, test weight measures etc. and others office kit					Certified that the cartage, mazdoor charges are for the office kit only and the same are at prevailing market rate of area

Signature/thumb impression of the payee

Before me

14.2.30 ANNEX XXX

(SEE CLAUSE 10.1.2 OF CHAPTER X)

Camp Completion Report

To,

Assistant Controller of Legal Metrology,

----- Dist.

Sub: Camp completion Report for -----camp ----- division ----- district.

Camp statistics is as per approved annual work programmes.

A . Two-yearly users

- i) No. of users in pervious cycle.
- ii) Period of last cycle of stamping :
- iii) Verification fees collected in previous cycle :
- iv) No. of users covered during present cycle :
- v) Current period of camp :
- vi) Current fees collected in camp :

Remarks for A-

B- Yearly users

- i) No of users in previous cycle :
- ii) Period of camp in last cycle :
- iii) Fees collected in last cycle :
- iv) No. of users covered during present cycle :
- v) Current period of camp :
- vi) Current fees collected in camp :

Remarks for B-

Details of camp work-

Sr. No.	Particulars	Fees in ₹		
		Expected on the camp	Actual Collected on the camp	Collected other than camp
1	2	3	4	5
1.	Manufacturers			
2.	Dealers			
3.	Repairers			
4.	Traders			
5.	Hawkers			
6.	Industries			
7.	Government and Semi-Government Establishment			
8.	Associations and Co-op. Societies			
9.	Railways			
10.	Post and Telegraph			
11.	Petrol pump and CNG/LPG			
12.	Auto/Taxi meters			
13.	Storage tank			
14.	Flow meters			
15.	Vehicle tanks			
16.	Other			
Total				

Inspector of Legal Metrology,
.....Division.

14.2.31 ANNEX XXXI

(SEE CLAUSE 10.1.2 OF CHAPTER X)

Rent receipt

Received the sum of ₹..... (In words.....)
from the Inspector of Legal Metrology, Division.....
District..... towards the camp rent fromto
total days.....The agreed rent was ₹.....The rent in full
is received and also Inspector Legal Metrology has vacated my
premises/room.

Address:

Place-.

Date-

Signature of owner
of the premises/room

Name.....



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