



Government of Haryana/हरियाणा सरकार
Additional Chief Secretary to Govt. of Haryana

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Food Civil Supplies & Consumer Affairs Department
अतिरिक्त मुख्य सचिव, हरियाणा सरकार
खाद्य नागरिक आपूर्ति तथा उपभोक्ता मामले

(To be substituted bearing same number and date)

ORDER

Consequent upon the guidelines issued under "Department of Industrial Policy & Promotion" (DIPP), Govt. of India, as part of Business Reforms Action Plan under Ease of Doing Business for the year 2018-19 (e-service: Central inspection system) inspections under Legal Metrology Act, 2009, the decision of the department in this regard is as under:-

In order to ensure the compliance of various provisions of the Legal Metrology Act, 2009 and rules made thereunder, the department has issued various directions for the inspection of the establishments/industries. Although inspection guidelines have been framed last year, the same are not being implemented properly. The prevalent directions are not conforming to the use of information Technology system. Therefore a new comprehensive transparent inspection policy/system is required to be put in place with the following objectives:-

- To achieve the objective of simplifying business regulations.
- To regulate the implementation of statutory provisions of legal Metrology Act, 2009 and rules made under therein in transparent and accountable manner through technology.
- To protect the rights of consumers.

(A) **Transparent Inspection System for inspections related to Legal Metrology Act and Packaged Commodities Rules**

(other than inspection of premises of users of weights or measures at the time of verification)

1. **Exemption from 'compliance inspection..' under the Legal Metrology Act/Rules.**

As a part of Ease of Doing Business and in compliance of the provisions of State Enterprise Promotion Policy, 2015 the retail establishment Govt. Undertaking sector units (Like sugar mills, Vita Milk etc) Except weigh bridges & Petrol Pump shall be exempted from the inspection unless there is an annual stamping and verification for their weights and measure instruments as per provisions of act and some other serious complaints (Surprise or Intelligence report) in this regard.

2. **Third party certification;-** As the objective of the Legal Metrology Act, 2009 is to establish and enforce standards of weights and measures, regulate trade and



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commerce in weights, measures and other goods which are sold or distributed by weight, measure or number. This directly relates to protection of consumer rights hence no such third party certification can be allowed in inspection.

3. **Inspection Criteria**

The inspections (other than complaint based inspections) shall be conducted by the individual officers/officials or a team of maximum four officers of the department. The Inspecting officer/official/team of inspecting officers shall be selected by the computerized system preferably in the following manner but shall be finalized by HQ, keeping in view the objective of EOBD:-

Sr. No.	Type of Establishments	Inspected officer/official
1.	Retail Establishments Govt. undertaking Sector Unit like sugar mills, Vita Milk etc.	Exempted as per para 1
2.	Sweet shops, Jewelers and weighbridge	Inspector Legal Metrology or Team constituted by Head Office.
3.	Fair price shop, Petrol Pumps & LPG Dealers	Inspector Legal Metrology or Team constituted by Head Office or Joint Inspection with DFSC or its representative
4.	Manufacturer/Packer/Retailer	Inspector Legal Metrology or Team constituted by Head Office.

Note:

- The Head of the Department may change the inspecting Officials/Officers/ at any point of time.
- Inspecting Officers/Officials shall ensure that he will not inspect the same factory/establishment under Legal Metrology Act/rules twice consecutively even if he has been appointed as a member of the inspecting team by mistake.
- The Head office on receipt of information about any un-registered or any complaint of violations of the provisions made under the Legal Metrology Act, 2009 and Rules framed there-under, may direct any officer or a team of officers of the Department to inspect such Establishment.



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- (iv) The inspecting officer/officials will not give prior notice/ the date of inspection to the establishment if complaints/ inspection directly relates to consumer rights.

4. **Complaint Based Inspections:**

The complaints received through CM Window cell, Directly at HQ, State Consumer Helpline, Media, District Administration/ or complaint of consumers/litigation or complaint received through Central Inspection System shall be attended promptly. This information will also have to be provided by the field Officers in their reports regularly to enable the O/o Controller Legal Metrology to assess the requirement of inspection. If required, the inspection in pursuance of such complaints shall also be conducted through Central Inspection System besides the inspections under the Policy but with the prior intimation/approval of the HQ. The team shall be constituted by HQ.

The complaints received directly from the consumers with critical issues and those given in general must be distinguished and action be taken as per priority.

5. **Preparation of quarterly list of inspection of randomly computerized generated system:**

List of establishments to be inspected during the next quarter by randomly computerized generating system based on the pre-determined criteria of selection mentioned above. The list shall be made available in public domain on Departmental web portal, Central Inspection System and also will be sent to the officials/officers in the field. The allocation of Establishment/premises will be allotted through a computer program ensuring that the same inspector will not inspect the same establishment twice consecutively and inspection of the same establishment for the second time will be done by official/officer of adjoining center or Assistant Controller Legal Metrology concerned if deemed necessary. The joint inspection of establishment if required will be done selectively as per direction of HQ through Central Inspection System only.

All the Petrol Pumps, Sweet shops, Jewelers & Fair price Shop will be checked/ inspected in the jurisdiction of Inspector Legal Metrology once in a year and weigh bridge LPG dealers will be checked/inspected twice in a year. Ten Establishment related to packaged commodities (Manufacturer, Packer and retailers) will be checked/inspected the jurisdiction of Inspector Legal Metrology in a month. Atleast 10% of the inspection will be conducted with higher authority ACLM/DCLM/District Administration.



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6. **The preparation and uploading of inspection reports on the departmental web site:**

The inspection reports shall be prepared and uploaded with-in 24 hours from the date of completion of inspection by the inspecting officer (s) on the departmental website i.e. www.haryanafood.gov.in and Central Inspection System against the ID of the establishment which shall be accessible to the officers in the department and the owner of the factory/establishment, whose premises has been inspected.

The inspection reports of Establishment should be submitted to the Central Inspection System or Department Website within 24 hours of inspection.

7. **Feedback By the Management of inspected establishments;**- After the inspection the management will have the option to fill their comments/remarks/feedback in information Technology system .

8. It is also mandated that all the inspections in respect of Central Inspection System shall be in conformity with the procedure and check list available on Departmental Website and Central Inspection System portal. The Checklist and procedure may be amended by headquarter as and when required.

9. The checklist and procedure for inspection of various Establishment/premises/traders etc. is hereby Annexed.

Dated, Chandigarh, the
01.05.2019

S.N.ROY
Additional Chief Secretary to Govt, Haryana
Food Civil Supplies & Consumer Affairs Deptt.
Dated, Chandigarh the **06.05.2019**

Endst. No. 7E(i)-2019/ 8868

A copy of the above is forwarded to the following for information and necessary action:-

1. The Deputy Controller Legal Metrology, Ambala City.
2. Assistant Controller Legal Metrology, Rohtak, Ambala, Faridabad & Hisar.
3. All the Inspector Legal Metrology in the Haryana State.
4. All the DFSC's in the Haryana State.
5. Director Industries & Commerce Department, Haryana, Chandigarh.
6. Sr. Secy./ACSFS & PS/DFS(for kind information of Worthy ACSFS & DFS)

Distt. Food & Supplies Controller (Admu.)
for Additional Chief Secretary to Govt. Haryana
Food Civil Supplies & Consumer Affairs Deptt.