

(5) Where the Controller is of opinion that by reason of the size or nature of any weight or measure, it is not desirable or practicable to put a stamp thereon, he may, by a order in writing, direct that instead of putting a stamp on such weight or measure, a certificate may be issued to the effect that such weight or measure conforms to the standards established by or under the Standards Act and every weight or measure so certified shall be deemed to have been duly verified and stamped under this Act on the date on which such certificate was issued.

(6) Every certificate referred to in sub-section (5) shall be in such form as may be prescribed and shall contain such details as to enable a clear identification of the weight or measure to which it relates.

**25. Display of certificate of verification**—Every certificate of verification granted under this Act shall be displayed in a conspicuous place in the premises where such weight or measure is being or is intended or likely to be, used in any transaction or for industrial production or for protection.

**26. Validity of weights or measures duly stamped.**—(1) A weight or measure which is, or is deemed to be, duly verified and stamped under this Act shall be deemed to conform to the standards established by or under the Standards Act at every place within the State in which it is stamped unless it is found on inspection or verification that such weight or measure has ceased to conform to the standards established by or under the Standards Act.

(2) No weight or measure which is, or is deemed to be, duly verified and stamped under this Act shall require to be re-stamped merely by reason of the fact that it is being used at any place within the State other than the place at which it was originally verified and stamped :

Provided that where a verified weight or measure, installed at one place is dismantled and re-installed at a different place, such weight or measure shall not be put into use unless it has been duly re-verified and stamped, notwithstanding that periodical re-verification of such weight or measure has not become due.

(3) Where a verified weight or measure has been repaired, whether by a licensed repairer or by the person owning and possessing the same, such weight or measure shall not be put into use unless it has been duly re-verified and stamped, notwithstanding that periodical re-verification of such weight or measure has not become due.

## CHAPTER VIII

## INSPECTION, SEARCH, SEIZURE AND FORFEITURE

**27. Power to inspect.**—(1) An Inspector may, within the local limits of his jurisdiction, inspect and test, at all reasonable times, any weight or measure which—

- (i) is in the possession, custody or control of any person, or
- (ii) is in or on any premises,

in such circumstances as to indicate that such weight or measure is being, or is intended or likely to be, used in any transaction or for industrial production or for protection, and may also verify whether such weight or measure is in conformity with the standards established by or under the Standards Act.

(2) For the purpose of ascertaining the correctness of any weight or measure used in any transaction, an Inspector may also test the weight or measure of the article sold or delivered to any person in the course of such transaction.

**28. Power of Inspector to require production of weight or measure or records for inspection.**—(1) An Inspector may, if he has any reasonable cause to believe that an offence punishable under this Act has been, or is likely to be, committed in respect of any weight or measure or that any weight or measure does not conform to the standards established by or under the Standards Act, require, at all reasonable times, the person having the custody or control of such weight or measure to produce before him for inspection every such weight or measure which—

(i) is used by such person or is caused by such person to be used by any other person, or

(ii) is in the possession, custody or control of such person for use, or

(iii) is kept in or on any premises for use, in any transaction or for industrial production or for protection.

(2) The Inspector may also require the production of every document or other record relating to the weight or measure referred to in sub-section (1) and the person having the custody of such weight or measure shall comply with such requisition.

(3) On inspection, whether under section 27 or under this section, the Inspector shall obliterate the stamp on—

(a) any weight or measure which, being due for verification, has not been submitted for such verification ;

(b) any weight or measure which, since the last verification and stamping, has been repaired or re-adjusted, and does not, after such repair or re-adjustment, conform to the standards established by or under the Standards Act ;

(c) any weight or measure which does not admit of proper adjustment by reason of its being broken, indented or otherwise defective ;

(d) any weight or measure other than those specified in clause (b) or clause (c) which does not, or cannot be made to, conform to the standards established by or under the Standards Act :

Provided that where the Inspector 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 on the user of such 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 such time, not exceeding eight days, as he may specify, and shall—

(i) if the 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 Standards Act, verify such weight or measure and put his stamp thereon.

*Explanation.*—The obliteration of the stamp on any weight or measure shall not take away or abridge the power of the Inspector to seize such weight or measure in accordance with the provisions of this Act.

29. An Inspector may, if he has any reason to believe, whether from any information given to him by any person and taken down by him in writing or from personal knowledge or otherwise, that an offence punishable under this Act has been, or is likely to be, committed in relation to any weight, measure or other goods which are sold, delivered

or distributed by weight, measure or number enter, at all reasonable times, into any premises—

(i) where such weight or measure is—

(a) made, manufactured, repaired or sold, or

(b) used, or kept or believed to be kept for use, in any transaction or for industrial production or for protection ;

(ii) where such goods are manufactured, packed, distributed or sold or kept or offered for sale in packaged form,

and inspect or verify any weight or measure or the net contents, by weight, measure or number, of any package, and may also examine any document or other record relating thereto.

**30. Power to search.**—(1) Where the Controller has reason to believe that any weight or measure, liable to be seized under this Act, or any document or thing in relation to any weight or measure, will be, in his opinion, useful for or relevant to, any proceeding under this Act, is secreted in any place, he may search or authorise any officer, not below the rank of an Inspector, to search for, and seize, such weight or measure, document or thing, and the provisions of sections 100 and 102 of the Code of Criminal Procedure, 1973 (2 of 1974) shall apply to every such search.

(2) Every authorisation made by the Controller under sub-section (1) shall be deemed to be a warrant referred to in section 93 of the Code of Criminal Procedure, 1973 (2 of 1974).

**31. Power of Inspector to seize any weight or measure.**—(1) An Inspector may seize and detain any weight or measure in relation to which an offence under this Act is being, or appears to have been, committed, or which is intended or likely to be used in the commission of such offence, and may also seize and detain any goods sold or delivered, or cause to be sold or delivered, by such weight or measure :

Provided that where any goods seized under this sub-section are subject to speedy or natural decay, the Inspector may dispose of such goods in such manner as may be prescribed.

(2) Where any weight, measure or any article is seized and detained under sub-section (1), the Inspector may also seize and detain any document or other record relating to such weight, measure or article.

(3) The provisions of section 102 of the Code of Criminal Procedure, 1973 (2 of 1974) shall apply to every seizure made under this section.

**32. Forfeiture.**—Every false or unverified weight or measure (other than those referred to in section 30 of the Standards Act) seized under the provisions of this Act shall be liable to be forfeited to Government :

Provided that such unverified weight or measure shall not be forfeited to the Government if the person from whom such weight or measure was seized gets the same verified and stamped within such time as may be prescribed.

## CHAPTER IX

### PROVISIONS WITH REGARD TO THE SALE AND DISTRIBUTION OF COMMODITIES IN PACKAGED FORM WITHIN THE STATE

**33. Provisions of the Standards Act and the rules made thereunder relating to commodities in packaged form to apply to commodities in packaged form sold or distributed within the State.**—(1) The provisions of the Standards Act and the rules made thereunder, as in force immediately before the commencement of this Act 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 as if the provisions aforesaid were enacted by, or made under, this Act subject to the modification that any reference therein to the " Central Government ", " Standards Act " and the " Director " shall be construed as references respectively, to the " State Government ", " this Act " and the " Controller ".

(2) The State Government may make rules, not inconsistent with the Standards Act or any rule made thereunder, to regulate the packaging of any commodity intended to be sold or distributed, within the State, in packaged form, or to regulate the sale or distribution, within the State of any commodity in packaged form.

*Explanation.*—For the purposes of this section, " commodity in packaged form " shall have the meaning assigned to it in the Standards Act and shall include a pre-packed commodity.

## CHAPTER X

## PROVISIONS WITH REGARD TO ANY CUSTOM OR USAGE RELATING TO THE SALE OF ANY COMMODITY, WHETHER BY QUANTITY OR NUMBER, AND SALE OF COMMODITIES BY HEAPS

**34.** *Custom or usage requiring delivery of additional quantities to cease.*—(1) Any custom, usage, practice or method of whatever nature which permits a person to demand, receive or cause to be demanded or received, any quantity of article, thing or service in excess of or less than, the quantity specified by weight, measure or number in any contract or other agreement in relation to the said article, thing or service, shall be void.

(2) Where, in relation to any commodity sold by number, there is a custom or usage of delivering a fixed number of such commodity in addition to the number of commodities paid for such custom or usage shall, on and from the commencement of this Act, cease.

**35.** *Sale by heaps.*—(1) Where any commodity is sold by heaps, the approximate weight, measure or number of the commodity contained in each heap shall be conspicuously announced by the seller or his agent if any, either by word of mouth or by a written notice placed on each heap :

Provided that no such announcement shall be necessary in the case of a heap where the total price of the commodity contained in such heap does not exceed two rupees.

(2) Where, on weighment, measurement or counting of any commodity sold by heap, it is found that the weight, measure or number, determined by such weighment, measurement or counting, is less than the approximate weight, measure or number announced by the seller or his agent and the deficiency is more than five per cent, of such announced weight, measure or number, the seller shall be deemed to have used a false weight or measure.

## CHAPTER XI

## OFFENCES AND PENALTIES

**36. Penalty for manufacturing, etc., of non-standard weights or measures.—Whoever—**

(a) makes or manufactures, or causes to be made or manufactured (except where he is permitted under the Standards Act so to do), any weight or measure in accordance with any standards other than the standards established by or under the Standards Act, or

(b) (i) sells or otherwise transfers, or causes to be sold or otherwise transferred, or

(ii) lets, or causes to be let, on hire,

any weight or measure which has been manufactured in accordance with any standards other than the standards established by or under the standard Act, \*shall be punished with imprisonment for a term which shall not be less than three months but which may extend to one year, and, for the second or subsequent offence, with imprisonment for a term which shall not be less than six months, but which may extend to three years, and also with fine.\*

**37. Penalty for counterfeiting of seals, etc.—(1) Whoever—**

(i) counterfeits any seal specified by or under this Act or the Standards Act, or

(ii) sells or otherwise disposes of any counterfeit seal, or

(iii) possesses any counterfeit seal, or

(iv) counterfeits any stamp, specified by or under this Act or the Standards Act or any rule made under either of those Act, or

(v) removes any stamp made, whether under this Act or the Standards Act or any rule made under either of those Acts, or tampers with any stamp so made, or

(vi) removes any stamp made, whether under this Act or the Standards Act or any rule made under either of those Acts, and ~~inserts~~ the stamp so removed on, or inserts the same into, any other weight or measure, or

(vii) increases or diminishes or alters in any way any weight or measure with a view to deceiving any person or knowing or having reason to believe that any person is likely to be deceived thereby,

\*—\*Substituted vide Act 72 of 1986 w. e. l. dated 1st July 1986.

\*shall be punished with imprisonment for a term which shall not be less than six months but may extend to two years, and, for the second or subsequent offence, with imprisonment for a term which shall not be less than one year but which may extend to five years also with fine.\*

(2) Whoever obtains, by unlawful means, possession of any seal specified by or under this Act or the Standards Act and uses, or causes to be used, any such seal for making any stamp on any weight or measure with a view to representing that the stamp made by such seal is authorised by or under this Act or the Standards Act shall be punished with imprisonment for a term which may extend to two years, and, for the second or subsequent offence, with imprisonment for a term which may extend to five years and also with fine.

(3) Whoever, being in lawful possession of a seal specified by or under this Act or the Standards Act uses, or causes to be used, such seal without any lawful authority for such use, shall be punished with imprisonment for a term which may extend to two years, and, for the second or subsequent offence, with imprisonment for a term which may extend to five years and also with fine.

(4) Whoever sells, or offers or exposes for sale or otherwise disposes of any weight or measure which, he knows or has reason to believe, bears thereon a counterfeit stamp, shall be punished with imprisonment for a term which may extend to two years, and, for the second or subsequent offence, with imprisonment for a term which may extend to five years and also with fine.

**38. Penalty for sale or delivery of commodities, etc., by non-standard weight or measure.**—(1) Except where he is permitted under the standards Act so to do, whoever sells, or causes to be sold, delivers or causes to be delivered, any commodity, article or thing by any weight, measure or number other than the standard weight or measure, \*shall be, punished with fine which shall not be less than five hundred rupees but which may extend to two thousand rupees and, for the second or subsequent offence, with imprisonment for a term which shall not be less than three months but which may extend to one year and also with fine.\*

\*—\*Substituted vide Act 72 of 1986 w. e. f. dated 1st July 1986.



(2) Whoever renders, or causes to be rendered, any service in terms of any weight, measure or number other than the standard weight or measure \*shall be punished with fine which shall not be less than five hundred rupees but which may extend to two thousand rupees and, for the second or subsequent offence, with imprisonment for a term which shall not be less than three months but which may extend to one year also with fine.\*

**39. Penalty for keeping non-standard weights or measures for use and for other contraventions.**—(1) Whoever keeps any weight or measure other than the standard weight or measure in any premises in such circumstances as to indicate that such weight or measure is being, or is likely to be, used for any—

(a) weighing or measurement, or

(b) transaction or for industrial production or for protection, shall be punished with fine which may extend to two thousand rupees, and, for the second or subsequent offence, with imprisonment for a term which may extend to one year and also with fine.

(2) Whoever,—

(i) in selling any article or thing by weight, measure or number, delivers or causes to be delivered to the purchaser any quantity or number of that article or thing less than the quantity or number contracted for and paid for, or

~~(ii) in rendering any service by weight, measure or number renders that service less than the service contracted for and paid for,~~  
or

(iii) in buying any article or thing by weight, measure or number, fraudulently receives, or causes to be received any quantity or number of that article or thing in excess of the quantity or number contracted for and paid for, or

(iv) in obtaining any service by weight, measure or number, obtains that service in excess of the service contracted for and paid for,

shall be punished with fine which may extend to five thousand rupees, and, for the second or subsequent offence, with imprisonment for a term which may extend to five years and also with fine.

\*—\*Substituted vide Act 72 of 1986 w. e. f. dated 1st July 1986.

(3) Whoever enters, after the commencement of this Act, into any contract or other agreement (not being a contract or other agreement for export) in which any weight, measure or number is expressed in terms of any standard other than the standard weight or measure, shall be punished with fine which may extend to two thousand rupees, and, for the second or subsequent offence, with imprisonment for a term which may extend to one year and also with fine.

**40. Penalty for contravention of section 10.**—Whoever, in relation to any specified class of goods, services, undertakings or users of weights or measures, uses in any transaction or for industrial production or for protection, any weight, measure or number, other than the weight, measure or number specified by rules made under section 10, shall be punished with fine which may extend to two thousand rupees, and, for the second or subsequent offence, with imprisonment for a term which may extend to one year and also with fine.

**41. Penalty for contravention of section 11.**—Except where he is permitted under the Standards Act so to do, whoever, in relation to any goods or things which are sold, transferred, distributed or delivered, or any service rendered,—

(a) quotes any price or charge, or makes any announcement with regard to the price or charge, or

(b) issues or exhibits any price list, invoice, cash memo, or other document, or

(c) mentions any weight or measure in any advertisement, poster or other document, or

(d) indicates the weight, measure or number of the net contents of any package or on any label, carton or other thing, or

(e) expresses, in relation to any transaction, industrial production or protection, any quantity or dimension,

otherwise than in accordance with the standard weight or measure, shall be punished with fine which may extend to two thousand rupees, and, for the second or subsequent offence, with imprisonment for a term which may extend to one year and also with fine.

**42. Penalty for contravention of section 19.**—Whoever, being required to obtain a licence under this Act, makes, manufactures, repairs or sells or offers, exposes or possesses for repair or sale, any weight or measure without being in possession of a valid licence empowering him to do so, shall be punished with imprisonment for a term which may extend to one year, or with fine which may extend to two thousand rupees, or with both, and, for the second or subsequent offence, with imprisonment for a term which may extend to three years and also with fine.

**43. Penalty for contravention of section 20.**—A licensee who after the suspension or cancellation of the licence issued to him or renewed or continued under this Act, omits or fails to stop functioning as a licensee under this Act, shall be punished with imprisonment for a term which may extend to one year.

**44. Penalty for contravention of section 21.**—Except where he is permitted under the Standards Act so to do, whoever makes or manufactures any weight or measure which,—

(a) though ostensibly purports to conform to the standards established by or under that Act, does not actually conform to the said standards, or

(b) bears thereon any indication of weight or measure which is not in conformity with the standards of weight or measure established by or under that Act, whether such indication is or is not in addition to the indication of weight or measure in accordance with the said standards,

shall be punished with imprisonment for a term which may extend to one year, or with fine which may extend to two thousand rupees, or with both, and for the second or subsequent offence, with imprisonment for a term which may extend to three years and also with fine.

**45. Penalty for contravention of section 22.**—Whoever,—

(a) sells, offers, exposes or possesses for sale, any weight or measure which has not been verified and stamped under this Act, or

(b) uses, or keeps for use, any weight or measure which, being required to be verified and stamped under this Act, has not been so verified and stamped,

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees or with both, and for the second or subsequent offence, with imprisonment for a term which may extend to one year and also with fine :

Provided that nothing in clause (b) shall apply, in relation to any weight or measure which is used for domestic purposes.

**46. Penalty for contravention of section 23.**—Whoever, being required by section 23 to maintain any record or register, omits or fails to do so, or being required by an Inspector to produce any records or registers for his inspection, omits or fails to do so, shall be punished with fine which may extend to one thousand rupees, and, for the second or subsequent offence, with imprisonment for a term which may extend to one year and also with fine.

**47. Penalty for contravention of section 24.**—Whoever, being required by section 24 to present any weight or measure for verification or re-verification, omits or fails, without any reasonable cause to do so, shall be punished with fine which may extend to five hundred rupees, and, for the second or subsequent offence, with imprisonment for a term which may extend to one year and also with fine.

**48. Penalty for contravention of section 28.**—Whoever, being required by an Inspector, or any person authorised by or under this Act to exercise the powers of an Inspector, to produce before him for inspection any weight or measure or any document or other record relating thereto, omits or fails, without any reasonable cause, to do so, shall be punished with fine which may extend to one thousand rupees, and, for the second or subsequent offence, with imprisonment for a term which may extend to one year and also with fine.

**49. Penalty for contravention of section 29.**—Whoever obstructs the entry of an Inspector, or any person authorised by or under this Act to exercise the powers of an Inspector, into any premises for the inspection and verification of any weight or measure or any document or other record relating thereto or the net contents of any packaged commodity or for any other prescribed purpose, shall be punished with imprisonment for a term which may extend to two years, and, for the second or subsequent offence, with imprisonment for a term which may extend to five years.

**50. Penalty for contravention of sections 30 and 31.**—Whoever prevents the Controller or any officer authorised by the Controller in this behalf, from searching any premises or prevents an Inspector from making any seizure of any, weight, measure, packaged commodity, goods, document, record or label, shall be punished with imprisonment for a term which may extend to two years, and, for the second or subsequent offence, with imprisonment for a term which may extend to five years and also with fine.

**51. Penalty for contravention of section 33.**—(1) Whoever manufactures, distributes, packs, sells or keeps for sale or offers or exposes for sale, or has in his possession for sale, any commodity in packaged form, shall, unless each such package conforms to the provisions of the Standards Act and the rules made thereunder, read with section 33 be punished with fine which may extend to five thousand rupees, and, for the second or subsequent offence, with imprisonment for a term which may extend to five years and also with fine.

(2) Whoever manufactures, packs, distributes or sells, or causes to be manufactured, packed, distributed or sold, any commodity in packaged form, knowing or having reason to believe that the commodity contained in such package is lesser in weight, measure or number than the weight, measure or number, as the case may be, stated on the package or label thereon, shall be punished with imprisonment for a term which may extend to two years, or with fine which may extend to three thousand rupees, or with both, and, for the second or subsequent offence, with imprisonment for a term which may extend to five years and also with fine.

*Explanation.*—In determining, for the purpose of this sub-section, whether the quantity contained in a package is lesser than the quantity declared on the package or label thereon, the maximum permissible error specified under the Standards Act, in relation to the commodity contained in such package, shall be taken into account.

**52. Penalty for contravention of section 35.**—Whoever sells any commodity by heaps without complying with the provisions of section 35, shall be punished with fine which may extend to one thousand rupees, and, for the second or subsequent offence with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

**53. Penalty for tampering with licence.**—Whoever alters or otherwise tampers with any licence issued or renewed under this Act or any rule made thereunder, otherwise than in accordance with any authorisation made by the Controller in this behalf, shall be punished with fine which may extend to two thousand rupees, or with imprisonment for a term which may extend to one year, or with both.

**54. Penalty for selling or delivering rejected weights and measures.**—Whoever sells, delivers or disposes of, or causes to be sold, delivered or disposed of, any weight or measure which has been rejected on verification under this Act or the Standards Act, or any rule made under either of the said Acts, shall be punished with imprisonment for a term which may extend to one year, or with fine which may extend to two thousand rupees, or with both :

Provided that nothing in this section shall apply to the sale, as scrap, of any rejected weight or measure which has been defaced in the prescribed manner.

**55. Penalty for personation of officials.**—Whoever personates in any way the Controller, Additional Controller or an Inspector or any other officer authorised by the Controller, shall be punished with imprisonment for a term which may extend to three years.

**56. Penalty for giving false information or maintaining false records or registers.**—(1) Whoever gives information to a Controller, Additional Controller or an Inspector or any other officer authorised by the Controller, which he may require or ask for in the course of his duty and which such person either knows or has reason to believe to be false or does not believe to be true, shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

(2) Whoever, being required by or under this Act so to do, submits a return or maintains any record or register which is false in any material particular, shall be punished with fine which may extend to two thousand rupees, and, for the second or subsequent offence, with imprisonment for a term which may extend to one year and also with fine.

**57. Wilful verification or disclosure in contravention of Law.**—(1) If any Inspector or any other officer exercising powers under this Act or any rule made thereunder wilfully verifies or stamps any weight or measure in contravention of the provisions, of this Act or of any rule made thereunder, he shall, for every such offence, be punished with imprisonment for a term which may extend to one year, or with fine which may extend to two thousand rupees, or with both.

(2) If any Inspector or other officer who enters into any premises in the course of his duty wilfully discloses, except in the performance of such duty, to any person any information obtained by him from such premises with regard to any trade secret or any secret in relation to any manufacturing process, he shall be punished with imprisonment for a term which may extend to one year, or with fine which may extend to two thousand rupees, or with both.

**58. Vexatious search.**—An Inspector or any other officer exercising powers under this Act or any rule or order made thereunder who knows that there are no reasonable grounds for so doing, and yet—

(a) searches, or causes to be searched, any house, conveyance or place, or

(b) searches any person, or

(c) seizes any weight, measure or other movable property,

shall, for every such offence, be punished with imprisonment for a term which may extend to one year or with fine which may extend to two thousand rupees, or with both.

**59. Penalty for contraventions not separately provided for.**—Whoever contravenes any provision of this Act for the contravention of which no punishment has been separately provided for in this Act, shall be punished with fine which may extend to two thousand rupees.

**60. Presumption to be made in certain cases.**—(1) If any person—

(a) makes or manufactures, or causes to be made or manufactured, any false weight or measure, or

(b) uses, or causes to be used, any false or unverified weight or measure in any transaction or for industrial production or for protection, or

(c) sells, distributes, delivers or otherwise transfers, or causes to be sold, distributed, delivered or otherwise transferred, any false or unverified weight or measure,

it shall be presumed, until the contrary is proved, that he had done so with the knowledge that the weight or measure was a false or unverified weight or measure, as the case may be.

(2) If any person has in his possession, custody or control any false or unverified weight or measure in such circumstances as to indicate that such weight or measure is likely to be used in any transaction or for industrial production or for protection, it shall be presumed, until the contrary is proved, that such false or unverified weight or measure was possessed, held or controlled by such person with the intention of using the same in any transaction or for industrial production or for protection.

**61. When employer to be deemed to have abetted an offence.**—(1) Any employer, who knows or has reason to believe that any person employed by him has, in the course of such employment, contravened any provision of this Act or any rule made thereunder, shall be deemed to have abetted an offence against this Act :

Provided that no such abetment shall be deemed to have taken place if such employer has, before the expiry of seven days from the date on which—

(a) he comes to know of the contravention, or

(b) he has reason to believe that such contravention has been made,

intimated, in writing, to the Controller the name of the person by whom such contravention was made and the date and other particulars of such contravention.

(2) Whoever is deemed under sub-section (1) to have abetted an offence against this Act shall be punished with imprisonment for a term which may extend to one year, or with fine which may extend to two thousand rupees, or with both, and, for the second or subsequent offence, with imprisonment for a term which may extend to five years and also with fine.

*Explanation.*—Dismissal or termination of service of an employee after the expiry of the period specified in the proviso to sub-section (1) shall not absolve any employer of his liability under this sub-section.



**62. Offences by companies.**—(1) If the person committing an offence under this Act is a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly :

Provided that nothing contained in this sub-section shall render any person liable to punishment if he proves that the offence was committed without his knowledge, or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

*Explanation.*—For the purposes of this section—

(a) " company " means anybody corporate and includes a firm or other association of individuals ; and

(b) " director ", in relation to a firm, means a partner in the firm.

**63. Cognizance of offences.**—Notwithstanding any thing contained in the Code of Criminal Procedure, 1973 (2 of 1974), —

\**(a)* No Court shall take cognizance of an offence punishable under this Act except upon a complaint, in writing, made by,—

*(i)* the controller ;

*(ii)* any other officer authorised in this behalf by the controller by general or special order ;

*(iii)* any person aggrieved ; or

*(iv)* a recognised consumer association whether the person aggrieved is a member of such association or not.

*Explanation.*—For the purposes of this clause " recognised consumer association " means a voluntary consumer association registered under the companies Act, 1956 (1 of 1956), or under any other law for the time being in force ;\*

\*—\*Substituted *vide* Act No. 72 of 1986 w. e. f. 1-7-1986.

(b) no Court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the First class shall try any offence punishable under this Act.

**64. Summary trial of certain offences.**—Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974) an offence punishable under section 36, section 38, section 39, section 40, section 41, section 42, section 45, section 51, section 52 or sub-section (3) of section 72 may be tried summarily.

**65. Compounding of offences.**—(1) Any offence punishable under section 39, section 40, section 41, section 42, section 44, section 45, section 46, section 47, section 48, section 51, section 52, section 54 or section 59 or any rule made under sub-section (3) of section 72, may either before or after the institution of the prosecution, be compounded, by the Controller or such other officer as may be authorised in this behalf by the Controller, on payment, for credit to the State Government, of such sum as the Controller or such other officer may specify :

Provided that such sum shall not, in any case, exceed the maximum amount of the fine which may be imposed under this Act for the offence so compounded.

(2) Nothing contained in sub-section (1) shall apply to a person who commits the same or similar offence within a period of three years from the date on which the first offence, committed by him, was compounded.

*Explanation.*—For the purpose of this sub-section, any second or subsequent offence committed after the expiry of a period of three years from the date on which the offence was previously compounded, shall be deemed to be a first offence.

(3) Where an offence has been compounded under sub-section (1), no proceeding or further proceeding, as the case may be, shall be taken against the offender, in respect of the offence so compounded, and the offender, if in custody, shall be discharged forthwith.

(4) No offence punishable under this Act shall be compounded except as provided by this section.

**66. Provisions of Indian Penal Code not to apply to any offence under this Act.**—The provisions of the Indian Penal Code, (45 of 1860) in so far as such provisions relate to offences with regard to weights or measures, shall not apply to any offence which is punishable under this Act.

## CHAPTER XII

## MISCELLANEOUS

**67. Transfer or transmission of business.**—(1) Where the business of a person licensed under this Act is transmitted by succession, intestate or testamentary, the heir or legatee, as the case may be, of such person shall not carry on the business of such licensee either in his own name or in any other name, unless the heir or legatee has, before the expiry of sixty days after the date of such transmission, made to the Controller an application for the issue of a licence in accordance with the provisions of this Act :

Provided that nothing in this section shall be deemed to prohibit the heir or legatee from carrying on business as such licensee for the aforesaid period of sixty days, and, if he has applied for such licence, until he is granted the licence or is, by a notice in writing informed by the Controller that such licence cannot be granted to him.

(2) Where the business of any person licensed under this Act is transferred by sale, gift, lease or otherwise, the transferee or lessee, as the case may be shall not carry on such business either in his own name or in any other name, unless he has obtained a licence to carry on such business.

**68. Licences neither saleable nor transferable.**—A licence issued or renewed under this Act shall not be saleable or otherwise transferable.

**69. Appeals.**—(1) Subject to the provisions of sub-section (2), an appeal shall lie—

(a) From every decision given or order made under Chapter V, Chapter VI, Chapter VII, Chapter VIII, Chapter IX or Chapter X of this Act, by—

(i) an Inspector, or

(ii) an Additional Controller,

to the Controller ; and

(b) From every decision given or order made by the Controller under Chapter V, Chapter VI, Chapter VII, Chapter VIII, Chapter IX or Chapter X of this Act, not being a decision made in appeal under clause (a),

to the State Government or any officer specially authorised in this behalf by that Government.

(2) Every such appeal shall be preferred within sixty days from the date of the decision or order appealed against :

Provided that the appellate authority may, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within the said period of sixty days, permit the appellant to prefer the appeal within a further period of sixty days.

(3) On receipt of any such appeal, the appellate authority shall, after giving the parties to the appeal, a reasonable opportunity of being heard and after making such inquiry as it deems proper, make such order, as it may think fit, confirming, modifying or reversing the decision or order appealed against, or may send back the case with such direction as it may think fit for a fresh decision or order after taking additional evidence, if necessary.

(4) Every appeal shall be preferred on payment of such fees as may be prescribed.

(5) The State Government may, on its own motion or otherwise, call for and examine the record of any proceeding (including a proceeding in appeal) in which any decision or order has been made, for the purpose of satisfying it self as to the correctness, legality or propriety of such decision or order and may pass such orders thereon as it may think fit :

Provided that no decision or order shall be varied under this subsection so as to prejudicially affect any person unless such person has been given a reasonable opportunity of showing cause against the proposed action.

**70. Levy of fees.**—The State Government may, by rules made under section 72, levy such fees, not exceeding—

(a) five hundred rupees, for the application for the issue or renewal of a licence for making or manufacturing of any weight or measure,

(b) one hundred rupees, of the issue of a licence for repairing or selling of any weight or measure,

(c) fifty rupees, for the alteration of any licence,

(d) five thousand rupees, on a graded scale, for the verification of any weight or measure, having regard to the time and labour which may be involved in making such verification,

(e) ten rupees, for the adjustment of any weight or measure,

(f) ten rupees, for the issue of a duplicate licence or certificate of verification,

(g) one rupee, for every one hundred words or less, for the grant of copies of any document, not being a document of a confidential nature,

(h) twentyfive rupees, for any appeal preferred under this Act,

(i) five rupees, for application for registration or renewal of registration under section 17.

**71. Delegation of powers.**—(1) The State Government may, by notification, direct that any power exercisable by it under this Act or any rule made thereunder, not being a power conferred by section 69 (relating to appeal) or section 70 (power to lay down scale of fee) or section 72 (power to make rules), in relation to such matters and subject to such conditions as may be specified, may be exercised also by such officer subordinate to it as may be specified in the notification.

(2) Subject to any general or special direction or condition imposed by the State Government, any person authorised by the State Government to exercise any powers may exercise those powers in the same manner and to the same extent as if they had been conferred on that person directly by this Act and not by way of delegation.

**72. Power to make rules.**—(1) The State Government may, by notification and after consultation with the Central Government, make rules to carry out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :—

(a) the class of goods, services, undertakings or users in relation to which no transaction, dealing or contract, or industrial production or use for protection shall be made or had or undertaken except by such weight, measure or number as required by section 10 ;

(b) the places at which, and the custody in which, the following standards shall be kept, namely :—

(i) reference standards,

(ii) secondary standards,

(iii) working standards,

as required by section 12 and sub-section (5) of section 14 ;

(c) the form and details of particulars for identification of weight or measure referred to in sub-section (2) of section 15 ;

(d) the time within which an application referred to in sub-section (1) of section 17 shall be made, the particulars which such application shall contain and the form and manner in which such application shall be made ;

(e) the form and manner in which the register referred to in sub-section (2) of section 17 shall be maintained ;

(f) the form and manner in which a application shall be made under sub-suction (3) of section 17 ;

(g) the form in which an application shall be made for the issue or renewal of a licence to carry on business as a maker, manufacturer, repairer or dealer of any weight or measure, as required by sub-section (4) of section 19 ;

(h) the form in which and the conditions, limitations and restrictions subject to which any licence may be issued and the period of validity of such licence, as required by sub-section (2) of section 19 ;

(i) the sum to be furnished by a repairer as security as required by sub-section (7) of section 19 ;

(j) the description of weight or measure which may not be sold by a user except with the written permission of the Controller as required by sub-section (8) of section 19 ;

(k) the manner or disposal of weights or measures after cancellation of licence and the distribution of proceeds thereof as required by sub-section (5) of section 20 ;

(l) the records and registers relating to weights or measures to be maintained in pursuance of the provisions of sub-section (1) of section 23 ;

(m) the period within which weights or measures shall be verified or re-verified as required by sub-section (2) of section 24 ;

(n) the steps to be take for verifying any weight or measure which cannot, or should not, be moved from its location, as required by the proviso to sub-section (3) of section 24 ;

(o) the form in which a certificate of verification of any weight or measure shall be granted as required by sub-section (4) of section 24 and the form in which the certificate referred to in sub-section (5) of section 24 shall be issued and the details which such certificate shall contain, as required by sub-section (6) of section 24 ;

(p) the manner of disposal of seized articles which are subject to speedy or natural decay, as required by the proviso to sub-section (1) of section 31 ;

(q) the time within which an unverified weight or measure seized under this Act may be permitted under the proviso to section 32 to be verified and stamped ;

(r) the manner in which, and the conditions, restrictions and limitations subject to which,—

(i) any commodity intended to be sold or distributed, within the State, shall be packaged, or

(ii) the sale or distribution of any commodity in packaged form shall be made within the State,

as required by sub-section (2) of section 33 ;

(s) the manner of obliteration of stamps on rejected weights or measures, as required by the proviso to section 54 ;

(t) the form in which appeals may be preferred under section 69 and the procedure for the hearing of appeals ;

(u) the amount of fees which may be levied and collected for each of the matters specified in section 70 ;

(v) any other matter which is required to be, or may be, prescribed.

(3) In making any rule under this section, the State Government may provide that a breach thereof shall be punishable with fine which may extend to one thousand rupees.

(4) The power to make rules under this section shall be subject to the condition of the rule being made after previous publication in the Official Gazette.

(5) Every rule made under this section shall, as soon as may be after it is made, be laid before each House of the State Legislature where there are two Houses, and where there is one House of the State Legislature, before that House.

**73. Power of State Government to make provisions of the Standards Act relating to approval of models applicable to models of weights or measures intended to be used exclusively within the State.**—(1) Where any type of weight or measure manufactured by a licensed manufacturer is such that all the weights or measures of that type manufactured by him within the State is intended to be sold, distributed or delivered therein, the State Government may, by notification, direct that the model of every such type of weight or measure shall be submitted for approval in accordance with provisions of sections 36, 37 and 38 of the Standards Act, and thereupon, the provisions of the said sections 36, 37 and 38 shall become applicable to such model and references in those sections to the Central Government and to the Standards Act shall be construed as references, respectively, to the State Government and this Act.

(2) Where the State Government makes a direction under sub-section (1) in relation to any type of weight or measure, any contravention of the provisions of section 39, section 40 or section 41 of the Standards Act in relation to that type of weight or measure shall be an offence punishable under this Act and the punishment provided therefor in the Standards Act shall be deemed to be the punishment provided therefor in this Act as if the said provisions relating to punishments were enacted by this Act.

**74. Act not to apply in certain cases.**—The provisions of this Act, in so far as they relate to the verification and stamping of weights and measures, shall not apply to any weight or measure,—

(a) used in any factory exclusively engaged in the manufacture of any arms, or ammunition, or both, for the use of the Armed Forces of the Union ;

(b) used for scientific investigation or for research ;

(c) manufactured exclusively for export.

**75. Repeal and savings.**—(1) On the commencement of any provision of this Act in a State, the corresponding provision of any law in force for the time being in that State shall stand repealed, and on such repeal, the provisions of section 6 of the General Clauses Act, 1897 (10 of 1897) shall apply as if the provisions so repealed were the provisions of a Central Act.



(2) Notwithstanding such repeal, any appointment, notification, rule, order, registration, licence, certificate, notice, decision, approval, authorisation or consent made, issued or given under such law shall, if in force at the commencement of this Act, continue to be in force and have effect as if it were made, issued or given under the corresponding provisions of this Act.

R. V. S. PERI SASTRI,  
Secy. to the Govt. of India.

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**NOTIFICATION**

FOOD AND CIVIL SUPPLIES DEPARTMENT,  
Mantralaya Annexe, Bombay-400 032,  
Dated the 29th June, 1987.

STANDARDS OF WEIGHTS AND MEASURES (ENFORCEMENT) ACT, 1985.

No. WMA-1086/899/2516/XXX.—In exercise of the powers conferred by sub-section (3) of section 1 of the Standards of Weights and Measures (Enforcement) Act, 1985 (No. 54 of 1985), the Government of Maharashtra hereby appoints the 1st day of July 1987, to be the date on which all the provisions of the said Act shall come into force in the whole of the State of Maharashtra.

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

V. J. BORKAR,  
Députy Secretary to Government.

**THE MAHARASHTRA STANDARDS OF WEIGHTS AND  
MEASURES (ENFORCEMENT) RULES, 1987**

**FOOD AND CIVIL SUPPLIES DEPARTMENT**

Mantralaya Annexe, Bombay 400 032, dated the 25th June, 1987.

*(Corrected upto 31-3-1995)*

No. WMA-1186/3694/2545/XXX.—In exercise of the powers conferred by sub-sections (1), (2) and (3) of section 72 of the Standards of Weights and Measures (Enforcement) Act, 1985 (54 of 1985) and of all other powers enabling it in that behalf, the Government of Maharashtra, after prior consultation with the Government of India, hereby makes the following rules, the same having been previously published as required by sub-section (4) of the said section 72, Namely :—

1. *Short title and commencement.*—(1) These rules may be called the Maharashtra Standards of Weights and Measures (Enforcement) Rules, 1987.

(2) They extend to the whole of the State of Maharashtra.

\*(3) They shall come into force on such date as the State Government may, by notification, appoint, and different dates may be appointed for

(a) Different provisions of these rules ; or

(b) Different areas ; or

(c) Different classes of activities.

2. *Definitions.*—In these rules, unless the context otherwise requires,—

(a) 'Act' means the Standards of Weights and Measures (Enforcement) Act, 1985 ;

(b) 'Reference Standard Laboratory' means a laboratory set up by the Central Government under the Standards Act where reference standards and secondary standards are maintained ;

(c) 'Schedule' means a Schedule appended to these rules ;

(d) 'Standards Act' means the Standards of Weights & Measures Act, 1976 ;

(e) Words and expressions used in these rules and not defined but defined in the Act and the Standards Act shall have the meanings respectively assigned to them in those Acts.

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\*Rules came into force w. e. f. 1st July 1987 See notification.

**3. Reference Standards.**—The reference standards shall be kept at such place, in such manner and in such custody as may be prescribed under the Standards Act.

**4. Secondary Standards.**—(1) Every secondary standard shall be verified at any of the Reference Standard Laboratories, in such manner and at such periodical intervals as may be prescribed under the Standards Act and shall, if found on such verification to conform to the standards established by or under that Act, be stamped by the laboratory-in-charge of the Reference Standards Laboratory.

(2) The verified secondary standards shall be kept at such place, and in such custody as the Controller may direct.

**5. Working Standards.**—(1) Every working standard shall be verified either at any of the Reference Standard Laboratories or at any of the places where secondary standards are maintained by the State Government in such manner and at such periodical intervals as may be prescribed under the Standards Act and shall, if found on such verification to conform to the standard established by or under that Act, be stamped, as the case may be, by the laboratory-in-charge of the Reference Standard Laboratory or by the Controller or such other officer as may be authorised by the Controller in this behalf.

(2) The verified working standards shall be kept in the custody of Inspectors.

**6. Secondary Standard balances.**—(1) A set of secondary standard balances shall be maintained at every place where the secondary standard weights are kept.

(2) The number, types and specifications of such balances shall be such as may be prescribed under the Standards Act.

(3) Every secondary standard balance shall be verified at least once a year and shall be adjusted, if necessary, to make it correct within the limits of sensitivity and other metrological qualities prescribed under the Standards Act, by the laboratory-in-charge of the Reference Standard Laboratory or by the Controller or such other officer as may be authorised by the Controller in this behalf.

**7. Working Standard balances.**—(1) A set of working standard balances shall be maintained at every place where working standard weights are kept.

(2) The number, types and specifications of such balances shall be such as may be prescribed under the Standards Act.

(3) Every working standard balance shall be verified at least once a year and shall be adjusted, if necessary, to make it correct within the limits of sensitivity and other metrological qualities prescribed under the Standards Act, by the laboratory-in-charge of the Reference Standard Laboratory or by the Controller or such other officer as may be authorised by the Controller in this behalf.

**8. Physical characteristics, configuration, constructional details of weights and measures.**—Every weight or measure used or intended to be used in any transaction or for industrial production or for protection shall conform as regards physical characteristics, configuration, constructional details, materials, performance tolerances and such other details, to the specifications prescribed under the Standard Act.

**9. Use of bullion weights, carat weights etc.**—(1) No weight other than a bullion weight shall be used in any transaction in bullion including precious metals, pearls and ornaments and other articles made of gold or silver.

(2) No weight other than a carat weight shall be used in any transaction in precious stones.

(3) No balance or weighing instrument other than a balance or weighing instrument of accuracy Class 'B' or Class II or of higher accuracy shall be used in any transaction referred to in sub-rules (1) and (2).

**10. Registration of users of weights and measures.**—(1) Every person (other than an itinerant vendor) who intends to commence, or carry on, the use of any weight or measure in any transaction or for industrial production or for protection, shall make an application in Form A-1 of Schedule 1, accompanied by a fee of rupees five, to the Controller or such other officer as the Controller may, by general or special order in writing authorise in this behalf, for the registration of his name; and every such application shall be made,—

(i) in the case of an applicant using any weight or measure at the commencement of these rules, within \*nine months\* from such commencement or;

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\*—\*Substituted *vide* Govt. notification No. WMA-1087/7824/(3071)/XXX, dated 7th March 1988.

(ii) in the case of an applicant who commences use of any weight or measure after the commencement of these rules, within ninety days from the date on which he commences such use.

(2) The Controller or the officer authorised by him shall include the name of the applicant in a register to be known as Register of Users and issue to him a certificate in Form A-3 of Schedule II.

(3) The Register of Users referred to in sub-rule (2) shall be maintained in the form set out in Schedule III.

(4) The certificate referred to in sub-rule (2) shall be valid for five years and may be renewed on payment of a fee of rupees five.

(5) An application for renewal shall be made in Form A-2 of Schedule 1, thirty days before the expiry of validity of the registration certificate.

(6) Where a certificate of registration is lost or destroyed, the holder of the certificate shall forthwith apply to the Authority who had issued the certificate, for the issue of a duplicate certificate of registration. Every such application for the issue of a duplicate certificate shall be accompanied by a fee of Rs. 2.

(7) If a person, who intends to discontinue the use of weight or measure for which he has been registered desires to get his name deleted from the Register of Users, he shall surrender the certificate of registration to the Controller or such other officer as may be authorised by him in this behalf.

(8) If a User intends to sell any weight or measure specified in Schedule II-A, he shall obtain a written permission of the Controller or such other officer as may be authorised by him in this behalf.

11. *Use of weights only or measures only or number only in certain cases.*—Except in the cases of commodities specified in Schedule IV, the declaration of quantity in every transaction, dealing or contract, or for industrial production or for protection shall be in terms of the unit of—

(a) weight, if the commodity is solid, semi-solid, viscous or a mixture of solid and liquid ;

(b) length, if the commodity is sold by linear measure ;

(c) area, if the commodity is sold by area measure ;

(d) volume, if the commodity is liquid or is sold by cubic measure ; or

(e) number, if the commodity is sold by number.

**12. Licensing of manufacturers, repairs and dealers of weights and measures.**—(1) Every manufacturer or repairer of, or dealer in, weight or measure shall make an application for the issue of a licence to the Controller or such other officer as may be authorised by him in this behalf, in the appropriate form set out in Schedule V-A.

(2) Every manufacturer or repairer of, or dealer in, weight or measure shall make an application for the renewal of a licence thirty days before the expiry of validity of the licence to the Controller or such other officer as may be authorised by him in this behalf, in the appropriate form set out in Schedule V-B.

(3) Every licence issued to a manufacturer, repairer or dealer shall be in the appropriate form set out in Schedule VI.

(4) Every licence issued to a manufacturer, repairer or dealer shall be valid for a period of one calendar year, and may be renewed from year to year by the Controller or such other officer as may be authorised by him in this behalf.

(5) The fees payable for the licence referred to in sub-rule (2) and for its renewal shall be as specified in Schedule VII :

Provided that an additional fee at half the rates specified in Schedule VII shall be payable by the applicant if he is permitted by the Controller to make the application for the renewal of a licence within a period of one month from the date of expiry of the period of validity of the licence.

\*(5-A) The fee payable for the alteration of a licence or for the issue of a duplicate licence shall be as specified in Schedule VII-A\*.

(6) The Controller or such other officer as may be authorised by him in this behalf shall maintain a register of licenced manufacturers, dealers and repairers in the form set out in Schedule VIII.

(7) Every repairer licenced under the Act and these rules shall.—

(a) be required to maintain such equipment and tools, as the Controller may be direct ; and

(b) furnish to the State Government a security deposit for each licence as specified in Schedule IX.

(8) The weights or measures seized by the Controller or any other officer authorised by him in writing, in this behalf, under sub-section (5) of section 20 of the Act, shall be sold and proceeds thereto credited to the Government.

\*—\*Inserted *vide* Govt. Notification No. CPC 1292/329/CR-266/CS-X, dated 30th January 1993.

**13. Records to be maintained by manufacturers, etc.—**(1) Every manufacturer or repairer or dealer in, weight or measure licenced under the Act and these rules shall maintain a register in the appropriate form set out in Schedule X.

(2) Every person using any weight or measure in any transaction or for industrial production or for protection shall maintain such records and registers as the Controller may direct.

**14. Periodical interval for the verification of weights or measures.—**

\*(1) Every weight or measure used or intended to be used in any transaction or for industrial production or for protection shall be verified or reverified and stamped once within a period of twelve months\*.

(2) Notwithstanding anything contained in sub-rule (1) every weight or measure which has been verified and stamped in situ shall, if it is dismantled and re-installed before the date on which the verification falls due, be duly re-verified and stamped on payment of the prescribed fee, before being put into use.

(3) Notwithstanding anything contained in sub-rule (1) every weight measure which has been verified and stamped shall, if it is repaired before the date on which the verification falls due be duly re-verified and stamped on payment of the prescribed fee, before being put into use.

**15. Verification and inspection of weights or measures.—**(1) Every person using any weight or measure in any transaction or for industrial production or for protection shall present such weight or measure for verification or re-verification at the office of the Inspector or at such other place as the Inspector may specify in this behalf on or before the date on which the verification falls due :

Provided that where any weight or measure is such that it cannot, or should not be moved from its location, the person using such weight or measure shall report to the Inspector at least thirty days in advance the date on which the verification falls due.

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

\*\*Substituted vide Govt. Notification No. CPC 1292/329/CR-266/CS-X, dated 30th January 1993.

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

(4) Every weight or measure presented for verification shall be complete in itself and shall not bear a manufacturer's mark which might be mistaken for the Inspector's stamp.

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

(6) Where a weight or measure is brought to the Inspector for verification or re-verification, he may verify the same after realisation of the prescribed fee.

(7) An Inspector shall visit, as frequently as possible during the period specified in sub-rule (1) of rule 14, every premises within the local limits of his jurisdiction to inspect and test any weight or measure which is being, or is intended or likely to be, used in any transaction or for industrial production or for protection.

**16. Stamping of weights or measures.**—(1) The Inspector shall stamp every weight or measure, if after verification, he is satisfied that such weight or measure conforms to the standards established by or under the Standards Act, with a stamp of uniform design, issued by the Controller, which shall indicate the number allotted for administrative purposes to the Inspector by whom it is stamped :

Provided that if by reason of the size or nature of any weight or measure it is not desirable or practicable to put a stamp thereon, the Inspector shall take such action as may be directed by the Controller, by a general or a special order in writing.

(2) The Inspector shall also mark the year and its quarter of stamping on every verified weight or measure except when the size or nature of such weight or measure makes it impracticable.

*Explanation.*—A year shall be deemed to consist of four quarters of which first quarter shall be of the months of January, February and March ; second quarter shall be of the months of April, May and June ; third quarter shall be of the months of July, August and September and fourth quarter shall be of the months of October, November and December.



(3) On completion of verification and stamping the Inspector shall issue a certificate of verification in the form set out in Schedule XI.

(4) Where a certificate of verification is lost or destroyed the holder of the certificate of verification shall forthwith apply to the Inspector who had issued the certificate, for the issue of a duplicate certificate, of verification. Every such application for the issue of a duplicate certificate shall be accompanied by a fee of rupees five.

(5) On receipt of an application under sub-rule (4) the Inspector shall issue to the applicant a duplicate copy of the certificate of verification marked "DUPLICATE".

17. *Fee for verification and stamping.*—(1) Fees payable for verification and stamping of weight or measure at the office or camp office of the Inspector shall be as specified in Schedule XII.

(2) If, at the request of the user of weight or measure, verification is done at any premises other than the office or camp office of the Inspector, an additional fee shall be charged at half the rates specified in Schedule XII and the user of the weight or measure shall also pay the expenses incurred by the Inspector for visiting the premises including the cost of transporting and handling the working standard and other equipment subject to a minimum of rupees ten :

Provided that no additional fee shall be charged for verification and stamping in situ of,—

(a) vehicle tanks, dispensing pumps, weigh-bridges, dormant platform machines and such other weight or measure which cannot and should not be moved from its location ;

(b) weights and measures in the premises of a manufacturer of stockist of such weights and measures.

(3) If a weight or measure is presented to the Inspector for re-verification after expiry of the validity of the stamp, an additional fee at half the rates specified in Schedule XII shall be payable for every quarter of the year or part thereof :

\*Provided that no additional fee shall be charged for a part of the quarter in which the validity of the stamp is due to expire.

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\* Added *vide* Govt. Notification No. CPC. 1292/329/CR-266/CS-X, dated 30-1-93.

\***(4)** In computing the time when the re-verification at any weight or measure sold by manufacturer or dealer shall be come due, the period during which such weight or measure remains unsold, shall be excluded.\*

(5) A weight or measure which on verification is found to be incorrect shall be returned to the person concerned for adjustment informing him, in a proforma specified by the Controller of the defects found in the weight or measure and calling upon him to remove the defects within a period not exceeding seven days. When the necessary adjustment has been carried out, such weight or measure shall be verified on payment of fifty per cent of the fees specified in Schedule XII and if found correct shall be stamped.

†**17-A.** *Fee for grant of copies of any document.*— Fee payable for the grant of certified copies of any document by an Assistant Controller, not being a document of confidential nature shall be one rupee for every hundred words or less.†

**18.** *Collection of fees and deposit into the Treasury.*—(1) Before commencing the work of verification or re-verification, the Inspector shall inform the person concerned of the fees payable by him under the rules and shall receive the same and issue a receipt in the form approved by the Controller, one copy of such receipt being kept on record :

Provided that fees payable by a department of the Central or State Government under these rules may be realised in such manner as may be directed by the Controller.

(2) The Inspector shall maintain a register, in the form approved by the Controller, which shall be written up from day-to-day and shall show the amount of fees and other charges collected during the day.

(3) All payments received by the Inspector during the week shall be paid into the Government Treasury under the appropriate " Head of Account " on such dates or days as may be specified by the Controller from time to time and a receipt thereof be obtained and an intimation to that effect be sent to the Controller or other officer authorised by him in this behalf.

\*—\* Substituted *vide* Govt. Notification No. CPC. 1292/329/CR-266/CS-X, dated 30-1-93.

†—† Inserted *vide* Govt. Notification No. CPC. 1292/329/CR-266/CS-X, dated 30-1-93.

**19. Disposal of seized weights, measures, etc.—(1)** Any weight or measure or document or thing seized and detained under section 30 or 31 of the Act, which is not to be the subject of proceedings in a Court, shall after the expiry of sixty days of its seizure, be so dealt with as the Controller may by general or special order direct and the materials thereof shall be sold and the proceeds credited to the Government :

Provided that the Controller may direct that un-verified weight or measure shall be returned to the person from whom such weight or measure was seized if that person gets the same verified and stamped, within ten days of the return, on payment of the prescribed fee including the additional fee payable for undertaking re-verification after the expiry of the validity of the stamp.

(2) Any weight or measure or document or thing seized and detain under section 30 or 31 of the Act, which is to be the subject of proceedings in a Court, shall be produced by the Inspector before the Court, shall after conclusion of the proceedings, be taken possession of by the Inspector and dealt with in accordance with the orders of the Court :

Provided that in the absence of the orders of the Court, weight or measure or document or thing shall be dealt with as the Controller may by special order direct and the materials thereof shall be sold and the proceeds credited to the Government.

(3) If any goods, seized under section 30 or 31 of the Act, are subject to speedy or natural decay, the Inspector shall have the goods weighed or measured on a verified weighing or measuring instrument available with him or near the place of offence and enter the actual weight or measure of the goods in a form specified by the Controller for this purpose and shall obtain the signature of the trader or his agent or such other person who has committed the offence. The goods in question shall be returned to the trader or the purchaser, as the case may be :

Provided that if the trader or his agent or the other person (who has committed the offence) refuses to sign the form, the Inspector shall obtained the signature of not less than two persons present at the time of such refusal by the trader or his agent or other person.

(4) Where the goods seized under sub-section (1) of section 29 of the Standards Act are contained in a package and the package is false or does not conform to the provisions of the Act or any rule made

thereunder and the goods in such package are subject to speedy or natural decay, the Inspector so far as may be, may dispose of the goods in such package in accordance with the provisions of sub-rule (3).

(5) Where the goods seized under sub-section (1) are not subject to speedy or natural decay, the Inspector may retain the package for the purpose of prosecution under this Act after giving the trader or his agent or the other person (who has committed the offence) a notice of such seizure.

**20. Qualifications of Inspectors.**—(1) No person shall be appointed as Inspector unless he,—

(a) is a graduate of a recognised University in Science (with physics as one of the subjects), technology or engineering, or holds a recognised diploma in engineering; and

(b) is able to speak, read and write \*Marathi.\*

(2) Nothing in sub-rule (1) shall apply to persons who have been working as Inspectors or are eligible for promotion as Inspector before the commencement of these rules.

(3) The person appointed to the post of Inspector shall have to complete the basic training course at the Indian Institute of Legal Metrology established by the Central Government under section 76 of the Standards Act before he is considered for confirmation to the post.

**21. Provision of working standards, equipment etc. to the Inspector.**—

(1) Every Inspector shall be provided with working standards, working standard balances and such other equipment including weighing and measuring devices as may be approved by the Controller from time to time.

(2) Every Inspector shall be provided with such dies, punches and such other equipment as may be necessary for affixing the verification stamp the design and number of which are to be approved by the Controller.

(3) Every Inspector shall be provided with punches of suitable sizes of eight-pointed star as shown below for obliterating stamps.

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\*—\* Substituted *vide* Govt. Notification No. WMA 1087/7824/(3071)/XXX, dated 7-3-1988.

**22. Provisions relating to use of weights, measures, etc.—**(1) Every person using a beam scale in any transactions in his premises shall suspend the same to a stand or to a chain by a hook :

Provided that this sub-rule shall not apply to itinerant vendors.

(2) Every weight or measure shall be used in a clean condition and in proper lighting arrangement.

(3) Any weight or measure which has been verified and stamped in situ shall not be dismantled and removed from its original site without prior intimation to the Controller or other person authorised by him in this behalf.

(4) The user of a weighing instrument of the capacity of five hundred kilogram or above, shall provide such number of duly verified and stamped weights not exceeding one-fourth of the capacity of the instrument as may be required by the Inspector for the purpose of its verification, re-verification or inspection.

(5) To ensure a proper check of the accuracy of a weighing instrument the user shall 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 tonne whichever is less :

Provided that the Controller may specify the total number of verified and stamped weights to be maintained in trade premises of where the number of weighing instruments is more than one.

**23. Certificate of verification to be exhibited.—**The person to whom a certificate of verification is issued shall exhibit the same in a conspicuous place in the premises where the weights, measures or weighing or measuring instruments to which the certificate relates are used :

Provided that in the case of itinerant vendor, the certificate shall be kept on his person :

Provided further that in the case of vehicle tank, the certificate of verification shall be kept with the vehicle.

**24. Penalty for contravention of rules.—**Whoever contravenes any provision of these rules, for the contravention of which no punishment has been separately provided in the Act, shall be punished with fine which may extend to one thousand rupees.

**25. Form of appeal.**—(1) Every appeal under the Act and these rules shall be preferred in the Form set out in Schedule XIII, and shall be accompanied by a copy of the Order appealed against.

(2) A Court fee table of rupees two shall be affixed on the appeal petition.

\*(3) An application for appeal shall be accompanied by fee of rupees twenty five only.\*

**SCHEDULE I**

[See rule 10 (1)]

FORM-A—1

**Application for Registration of users**

*(This application should be accompanied by a fee of Rs. 5)*

Place :

Date :

To

Sir,

† I/We would like to register my/our name in the Register of users of weights and measures as required under sections 16, 17 and 18 of the Standards of Weights and Measures (Enforcement) Act, 1985 and the rules made thereunder.

I am/We are furnishing the particulars as required under the rules along with the prescribed fee of Rs. 5 (Rupees five only).

1. Name of the person/company/  
Firm.
2. Complete Address
3. Branches if any with their  
complete address and registra-  
tion number.

\*—\* Inserted vide Govt. Notification No. CPC. 1292/329/CR-266/CS-X. dated 30-1-93.

† Strike-out whichever is not applicable.

4. Name(s) and address(es) of proprietor(s) and/ or partners and managing director(s) in the case of limited company.
5. Nature of business carried on
6. Details (denomination/type, quantity) of weights, measures, weighing and measuring instruments used.

Signature.

**SCHEDULE 1**

[See rule 10 (5)]

**FORM-A—2**

**Application for Renewal of Registration**

*[This application should be accompanied by a fee of Rs. 5]*

Place :

Date :

To

Sir,

\* I/We request you to renew my/our Registration No. ....  
 .....dated ..... due for renewal with effect  
 from ..... for a  
 further period of 5 years. I/We are furnishing the particulars as  
 required under the rules along with the prescribed fee of Rs. 5 (Rupees  
 five only).

1. Name of the person/company/  
Firm.
2. Complete Address

\* Strike out whichever is not applicable.

3. Branches, if any with their complete address and registration number.
4. Name(s) and address(es) of proprietor(s) and/or partners and managing director(s) in the case of limited company.
5. Nature of business carried on
6. Details (denomination/type, quantity) of weights, measures, weighing and measuring instruments used.

Signature.

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**SCHEDULE II**

[See rule 10 (2)]

FORM A—3

**Certificate of Registration of users of Weights and Measures**

*(To be prepared in quadruplicate)*

GOVERNMENT OF MAHARASHTRA  
OFFICE OF THE CONTROLLER OF LEGAL METROLOGY

Book No. ....

Registration Serial No. ....Date :

**Certificate of Registration under the Standards of Weights and Measures (Enforcement) Act, 1985.**

I hereby certify that the following person/company/firm at the address/es given below has been registered as an user of weights and measures under section 17 of the Standards of Weights and Measures (Enforcement) Act, 1985 on receipt of the prescribed fee of Rs. 5 (Rupees five only).

1. Name and complete address of person/company/firm.



2. Branches, if any with their complete address and registration number.
3. Nature of business carried on/ commodities or goods produced (for manufacturing companies only).
4. Details (denomination/type, quantity) of weights, measures, weighing and measuring instruments used.
5. New Registration/Renewal . . .
6. Next date of Renewal . . .

Signature of the person/  
Authorised person.

Signature of the Issuing Authority.

*Note.*—In case it is desired to suspend the activities the registration certificate may be surrendered to this office for cancellation.

*Conditions for Registration of Users*

1. The person in whose favour this Certificate of Registration is issued shall—

- (a) comply with all the relevant provisions of the Act and Rules for the time being in force ;
- (b) exhibit the Certificate of Registration in some conspicuous place in the premises to which it relates, and
- (c) comply with any general or special directions that may be given by the Controller of Legal Metrology from to time.

2. This Certificate of Registration is valid for 5 years from the date of issue. It should be renewed before the date of renewal shown in column No. 5 of the Certificate on payment of the prescribed fee.

3. This Certificate of Registration should be produced at the time of renewal.

4. Change of address should be intimated to the Issuing Authority immediately and the same incorporated in this Certificate of Registration.

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*SCHEDULE II-A*

[See rule 10 (8)]

1. Vehicle tanks.

2. Bulk meters.

3. Dispensing pumps, weighbridges, platform machines and such other weights or measures which cannot and should not, be moved from it's location.

**SCHEDULE III**

[See rule 10 (3)]

**Register of Users of Weights and Measures**

**Village** ..... **Taluka** ..... **District** .....

Serial No.	Name and address of the registered user of Weights and Measures	Branches if any with address	Nature of business carried on	Weights and Measurers used	Registration No.	Date of Registration	Renewal Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(9)

## SCHEDULE IV

(See rule 11)

*Exceptions referred to in rule 11*

1. The following commodities may be sold by weight, measure or number as shown against the commodity :—

TABLE

Sr. No.	Commodity	Whether declaration to be expressed in terms of weight, measure or number or two or more of them
(1)	(2)	(3)
1	Aerosol products . . . . .	Weight
2	Acids in liquid form. . . . .	Weight or volume
3	Compressed or liquified gas (but not liquified petroleum gas).	Weight and equivalent Volume at stated temperature and pressure.
4	Butter (incl. peanut butter), cheese, curd, ghee.	Weight
5	Electric cables . . . . .	Length or weight
6	Electric wire . . . . .	Length or weight
7	Fencing wire . . . . .	Length or weight
8	Hair oil, unperfumed . . . . .	Weight
9	Fruits and vegetables . . . . .	Number or weight
10	Furnace oil . . . . .	Weight or volume
11	Linseed oil and other vegetable oils.	Weight
12	Heavy residual fuel oil . . . . .	Weight
13	Industrial diesel fuel . . . . .	Volume
14	Honey, malt extract, golden syrup treacle.	Weight
15	Ice cream and other similar frozen products.	Weight or volume
16	Liquid chemicals . . . . .	Weight or volume
17	Liquid petroleum gas . . . . .	Weight
18	Nails, wood screws . . . . .	Number or weight

TABLE—contd.

(1)	(2)	(3)
19	Paint (other than paste paints or solid paint) Varnish and varnish stains, enamels.	Volume
20	Papad .. .. .	Number and wight
21	Paste, paint, solid paint .. ..	Weight
22	Rassogulla, Gulabjamun and other sweet preparation.	Weight
23	Ready-made garments .. ..	Number and size
24	Sauce, all kinds .. .. .	Weight
25	Tyres and tubes .. .. .	Number
26	Yarn .. .. .	Weight or length of yarn.

## SCHEDULE V-A

[See rule 12 (1)]

## FORM IM-1

*Application form for licence as Manufacturer of Weights, Measures under the Standards of Weights and Measures (Enforcement) Act, 1985*

To,

To be filled in by the applicants	Comments of the Inspecting Officer
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1. Name of the manufacturing concern for which licence is desired.
2. Complete address of the concern.
3. Date of establishment of workshop/factory.

## SCHEDULE V-A—contd.

	To be filled in by the applicants	Comments of the Inspecting Officer
4. Name(s) and address(es) of proprietor(s) and/or partners and managing Director(s) in the case of Limited Company.		
5. The date and number of registration in the case of a Registered Factory.		
6. Number and date of current Municipal Trade Licence.		
7. Nature of manufacturing activities at present.		
8. The type of articles proposed to be manufactured viz.— (i) Weights (ii) Measures (iii) Weighing Instruments. (iv) Measuring instruments with details in each case.		
9. The number of persons employed in each of the above branches of production.— (i) skilled ..... (ii) unskilled ..... (iii) specialists trained in the line .....		
10. The monogram or trade mark intended to be imprinted on articles to be manufactured.		
11. Details of machinery, tools, accessories, etc. owned and used for manufacturing weights, measures, etc.		

## SCHEDULE V-A—contd.

	To be filled in by the applicants	Comments of the Inspecting Officer
12.	Have you a foundry/workshop on ownership or long-term lease? If not, state the nature and details of arrangements made or to be made in this regard.	
13.	Indicate facilities for steel casting and hardness testing of vital parts.	
14.	Is electric energy available?	
15.	Have you received any loan from Government? If so, give details.	
16.	Name of bankers, if any.	
17.	Sales Tax Registration Number.	
18.	Give details of quota allotment of raw material for the last three years.	
19.	Have you applied previously for licence? If so, with what results?	
20.	When can you produce for inspection samples of your products for which licence is desired?	

**To be certified by the applicant**

Certified that I/We have read the Standards of Weights and Measures (Enforcement) Act, 1985 and the Maharashtra Standards of Weights and Measures (Enforcement) Rules, 1987 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 Licensing Authority.

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

Place :

Date :

Signature and Designation.

**To be filled in by the Departmental Officer of the Government of Maharashtra.**

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 Licensing Authority**

Licence granted/refused .....

Licence Number .....

Valid till .....

Place :

Date :

Signature and Designation.



## SCHEDULE V-A

[See rule 12 (1)]

## FORM LR-1

[ Application for licence as repairers of weights, measures, weighing instruments and measuring instruments under the Standards of Weights and Measures (Enforcement) Act, 1985 ]

To,

	To be filled in by the applicants (1)	Comments of the Inspecting Officer (2)
1.	Name of the repairing/ concern/person seeking the licence	
2.	Complete address of the workshop	
3.	Date of establishment	
4.	Name(s) and address(es) of proprietor(s) and/or partners and managing Director(s) in the case of Limited Company.	
5.	Number and date of current Municipal Trade Licence.	
6.	The types of articles you proposed to repair.	
7.	Area in which you wish to operate	
8.	Extent of previous experience in the line.	
9.	The number of skilled staff employed in the workshop.	
10.	Is electric energy available	
11.	Have you sufficient stock of loan/ test weights, etc. please give details.	
12.	Have you previously applied for repairer licence? If so, when and with what results.	

**To be certified by the applicants**

CERTIFIED that I/We have read the Standards of Weights and Measures (Enforcement) Act, 1985 and the Maharashtra Standards of Weights and Measures (Enforcement) Rules, 1987 and agree to abide by the same and the administrative orders and instructions issued or to be issued thereunder.

I/We agree to deposit the Scheduled Licence fees and security deposit with Government as soon as required to do so by Licensing Authority.

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

Place :

Date :

Signature and Designation.

**To be filled in by the Departmental Officer of the Government of Maharashtra.**

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 Licensing Authority**

Licence granted/refused .....

Licence Number ..... Date .....

Valid till .....

Place :

Date :

Signature and Designation.

## SCHEDULE V-A

[See rule 12 (1)]

## FORM LD-1

[Application for licence as dealer in Weights, Measures, Weighing Instruments and Measuring Instruments under the Standards of Weights and Measures (Enforcement) Act, 1985]

To,

To be filled  
in by the  
applicantsComments of  
the Inspecting  
Officer

(1)

(2)

1. Name of the establishment/shop/  
person seeking the licence.
2. Complete address of the establish-  
ment, etc.
3. Date of establishment
4. Name(s) and address(es) of  
proprietor(s) and/or partners and  
managing Director(s) in the case  
of Limited Company.
5. Number and date of current  
Municipal Trade Licence.
6. Category of articles sold at present
7. Sales Tax Registration Number
8. Do you intend to import weights,  
etc. from places outside the State?  
If so, indicate sources of supply .....
- .....  
(Give details of manufacturer's trade  
mark/monogram and his licence  
number).
9. Have you ever applied for a dealer's  
licence either in this State or else-  
where? If so, give details.

*( To be certified by the applicants )*

CERTIFIED that I/We have read the Standards of Weights and Measures (Enforcement) Act, 1985 and the Maharashtra Standards of Weights and Measures (Enforcement) Rules, 1987 and agree to abide by the same as well as the administrative orders and instruction 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 Licensing Authority.

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

Place :

Date :

Signature and Designation.

*(To be filled by Departmental Officer of the  
State Government )*

Date of Receipt of application .....

Serial Number of application .....

Date of inspection .....

Recommendation of Inspecting Officer .....

Signature and Designation of  
the Inspecting Officer.

Final orders of Licensing Authority :

Licence granted/refused .....

Licence Number ..... Date .....

Valid till .....

Place :

Date :

Signature of Controller of  
Legal Metrology.

## SCHEDULE V-B

[See rule 12 (2)]

## FORM LM-2

[ Application for renewal of licence as Manufacturer of Weights, Measures, Weighing Instrument and Measuring Instruments under the Standards of Weights and Measures (Enforcement) Act, 1985 ]

To,

1. Name and complete address of the manufacturing concern for which licence is desired.
2. Manufacturer's Licence No.
3. Names and addresses of proprietors and/or partners and Managing Directors in case of Limited Company.
4. (a) The type of articles which are manufactured as per licence granted.  
(b) Do you propose any change.
5. The monogram or trade marks used on articles manufactured by you.
6. Details of workshop facilities available.
7. Sales Tax Registration Number

( To be certified by the Applicants )

CERTIFIED that I/We have read the Standards of Weights and Measures (Enforcement) Act, 1985 and the Maharashtra Standards of Weights and Measures (Enforcement) Rules, 1987 and agree to abide by the same and also the administrative orders and instructions issued or to be issued thereunder.

I/We have deposited the Scheduled Licence fees of Rs. ....  
(Rupees ..... ) to the Sub-Treasury/  
Bank on ..... and the original chalan is  
enclosed.

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

Place :

Date :

Signature and Designation.

*SCHEDULE V-B*

[See rule 12 (2)]

FORM LR-2

*[ Application for renewal of licence as Repairers of Weights, Measures, Weighing Instruments and Measuring Instruments under the Standards of Weights and Measures (Enforcement) Act, 1985 ]*

To,

1. Name and complete address of the repairing concern/person seeking the licence.
2. Repairers Licence Number
3. Name(s) and address(es) of proprietor(s) and/or partners and Managing Director(s) in the case of Limited Company.
4. Number and date of current Municipal Trade Licence.
5. (a) The type of articles which are repaired as per licence granted.  
(b) Do you propose any change
6. Area in which you are operating
7. Have you sufficient stock of loan/ test weights, etc. ?
8. Please give details with particulars of stamping.

*( To be certified by the Applicants )*

CERTIFIED that I/We have read the Standards of Weights and Measures (Enforcement) Act, 1985 and the Maharashtra Standards of Weights and Measures (Enforcement) Rules, 1987 and agree to abide

by the same as well as the administrative orders and instructions issued or to be issued thereunder.

I/We have deposited the Scheduled Licence fees of Rs. ....  
(Rupees ..... only) in the Sub-Treasury/  
Bank on ..... and the original chalan is  
enclosed.

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

Place :

Date :

Signature and Designation.

\_\_\_\_\_

**SCHEDULE V-B**

[See rule 12 (2)]

**FORM LD-2**

*[ Application for renewal of licence as Dealer in Weights,  
Measures, Weighing and Measuring Instruments under the  
Standards of Weights and Measures (Enforcement) Act, 1985 ]*

To,

1. Name and complete address of the establishment/shop/person seeking the licence.
2. Dealer's Licence Number
3. Date of establishment
4. Name and address of proprietor (s) and/or partners and Managing Directors in the case of Limited Company.
5. Number and date of current Municipal Trade Licence.
6. Category of articles sold at present
7. Sales Tax Registration Number
8. Are you intending to import Weights, etc. from places outside the State.

If so, indicate sources of supply from  
the State/States :

(Give details of manufacturer's trade  
mark/monogram and his licence  
No. ).

( To be certified by the Applicants )

CERTIFIED that I/We have read the Standards of Weights and Measures  
(Enforcement) Act, 1985 and the Maharashtra Standards of Weights  
and Measures (Enforcement) Rules, 1987 and agree to abide by  
the same and the administrative orders and instructions issued  
thereunder.

I/We have deposited the Scheduled Licence fees of Rs. ....  
in the Sub-Treasury/Bank on .....and the  
original chalan is enclosed.

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

Place :

Date :

Signature and Designation.

**SCHEDULE VI**

[See rule 12 (3)]

Licensing Forms

FORM LM-3

OFFICE OF THE CONTROLLER OF LEGAL METROLOGY

Licence to Manufacture Weights, Measures, Weighing Instruments or  
Measuring Instruments

Licence No. :

Year :

(1) The Controller of Legal Metrology hereby grants to  
(Name and address of party or parties)  
a licence to manufacture the following :—  
(Include details of the types of weights, measures, weighing  
instruments or measuring instruments that are licensed to be  
manufactured by the party).



(2) The licence is valid for the party named above in respect of his workshop located at .....

(3) This licence is valid from ..... to 31st December 19 .....

(4) The manufacturer shall comply with the conditions noted below. If he fails to comply with any one of these, his licence is liable to be cancelled.

(5) The trade mark, monogram being used by the manufacturer is as under :

(Seal)

(Signature)

Controller of Legal Metrology.

Place :

Date :

*Note.*—In the case of firm its name with the names of all persons having any interest in the business should be given in paragraph 1.

#### CONDITIONS OF LICENCE

1. The person in whose favour this licence is issued shall—

(a) comply with all the relevant provisions of the Act and Rules for the time being in force ;

(b) not encourage or countenance any infringement of the provisions of the Act, or the Rules for the time being in force and shall report without delay to the inspector any infringement that may come to his notice ;

(c) exhibit this licence in some conspicuous part of the premises to which it relates ;

(d) comply with any general or special direction, that may be given by the Controller of Legal Metrology ;

(e) surrender the licence if and when required to do so by the Controller or any other officer employed under the Act ;

(f) present the weights, measurers or weighing or measuring instruments as the case may be, manufacturer, to the Inspector for verification and stamping before sale ;

(g) render such accounts, statements relating to raw materials as may be directed and called for by the Controller from time to time ; and

(h) submit the application for renewal of this licence, as required under the rules before thirty days of the date of expiry of the validity of the licence.

2. Every condition prescribed after the issue of this licence shall, if notified in the *Official Gazette*, be binding on the persons to whom the licence has been granted.

RENEWAL ENTRIES

Current No. .... Date .....  
Renewed for  
  
(Seal)

Current No. .... Date .....  
Renewed for  
  
(Seal)

Controller of  
Legal Metrology.

Controller of  
Legal Metrology.

Current No. .... Date .....  
Renewed for  
  
(Seal)

Current No. .... Date .....  
Renewed for  
  
(Seal)

Controller of  
Legal Metrology.

Controller of  
Legal Metrology.

Current No. .... Date .....  
Renewed for  
  
(Seal)

Current No. .... Date .....  
Renewed for  
  
(Seal)

Controller of  
Legal Metrology.

Controller of  
Legal Metrology.

## SCHEDULE VI

[See rule 12 (3)]

## Licensing Forms

## FORM LR-3

OFFICE OF THE CONTROLLER OF LEGAL METROLOGY

*Licence to Repair Weights, Measures, Weighing Instruments or  
Measuring Instruments*

Licence No. :

Year :

(1) The Controller of Legal Metrology hereby grants to  
(Name and address of party or parties)  
a licence to repair the following :—

(Include details of the types of weights, measures, weighing  
instruments or measuring instruments that are licensed to be  
repaired by the party).

(2) The licence is valid for the party named above in respect of his  
workshop located at .....

(3) This licence is valid from ..... to 31st December  
19 .....

(4) The repairer shall comply with conditions noted below. If he  
fails to comply with any one of these, his licence is liable to be  
cancelled.

(5) The party is licensed to repair weights, measures, weighing and  
measuring instruments in the areas mentioned below :—

(Signature)

Controller of Legal Metrology.

(Seal)

Date :

Place :

Note.—In the case of firm its name with the names of all persons  
having any interest in the business should be given in paragraph (1).

### CONDITIONS OF LICENCE

1. The person in whose favour this licence is issued shall—
- (a) comply with all the relevant provisions of the Act and Rules for the time being in force ;
  - (b) not encourage or countenance any infringement of the provisions of the Act, or the Rules for the time being in force and shall report without delay to the inspector any infringement that may come to his notice ;
  - (c) exhibit this licence in some conspicuous part of the premises to which it relates ;
  - (d) comply with any general or special direction, that may be given by the Controller of Legal Metrology ;
  - (e) surrender the licence if and when required to do so by the Controller or any other officer employed under the Act ;
  - (f) Present the weights, measures or weighing or measuring instruments as the case may be, duly repaired to the Inspector for verification and stamping before delivery : (            ).
  - (g) render such accounts, statements relating to raw materials as may be directed and called for by the Controller from time to time ; and
  - (h) submit the application for renewal of this licence, as required under the rules before thirty days of the date of expiry of the validity of the licence.

2. Every condition prescribed after the issue of this licence shall, if notified in the *Official Gazette*, be binding on the persons to whom the licence has been granted.

#### RENEWAL ENTRIES

Current No. .... Date .....	Current No. .... Date .....
Renewed for	Renewed for
(Seal)	(Seal)
Controller of Legal Metrology.	Controller of Legal Metrology.
Current No. .... Date .....	Current No. .... Date .....
Renewed for	Renewed for
(Seal)	(Seal)
Controller of Legal Metrology.	Controller of Legal Metrology.

**SCHEDULE VI**

[See rule 12 (3)]

**Licensing Forms****FORM LD-3**

OFFICE OF THE CONTROLLER OF LEGAL METROLOGY

**Licence to Dealer in Weights, Measures, Weighing Instruments or  
Measuring Instruments**

Licence No. :

Year :

(1) The Controller of Legal Metrology hereby grants to  
(Name and address of party or parties)  
a licence to deal in the following :—

(Indicate details of the types of weights and measures, weighing  
or measuring instruments that are licensed to be dealt with by  
party.)

(2) The licence is valid for the party named above in respect of his  
premises located at .....

(3) This licence is valid from 31st December 19 ..

(4) The dealer shall comply with the conditions noted below. If  
he fails to comply with any one of those, his licence is liable to be  
cancelled.

(Seal)

(Signature)  
Controller of Legal Metrology.

Date :

Place :

*Note.*—In the case of firm its name with the names of all persons  
having any interest in the business should be given in paragraph (1).

**CONDITIONS OF LICENCE**

1. The person in whose favour this licence is issued shall—
  - (a) comply with all the relevant provisions of the Act and Rules  
for the time being in force ;

(b) not encourage or countenance any infringement of the provisions of the Act, or the Rules for the time being in force and shall report without delay to the inspector any infringement that may come to his notice ;

(c) exhibit this licence in some conspicuous part of the premises to which it relates ;

(d) comply with any general or special direction, that may be given by the Controller of Legal Metrology ;

(e) surrender the licence if and when required to do so by the Controller or any other officer employed under the Act ;

(f) Submit the application for renewal of this licence, as required under the Rules before thirty days of the date of expiry or the validity of the licence ;

(g) not sell, or offer, expose or possess for sale any non-standard weight or measure.

2. Every condition prescribed after the issue of this licence shall, if notified in the *Official Gazette*, be binding on the persons/person to whom the licence has been granted.

#### RENEWAL ENTRIES

Current No. .... Date .....

Renewed for

(Seal)

Controller of  
Legal Metrology.

Current No. .... Date .....

Renewed for

(Seal)

Controller of  
Legal Metrology.

Current No. .... Date .....

Renewed for

(Seal)

Controller of  
Legal Metrology.

Current No. .... Date .....

Renewed for

(Seal)

Controller of  
Legal Metrology.

Current No. ....	Date .....	Current No. ....	Date .....
Renewed for		Renewed for	
(Seal)		(Seal)	
Controller of Legal Metrology.		Controller of Legal Metrology.	

—————

**SCHEDULE VII**

[See rule 12 (5)]

*Licensing and Renewal Fees for manufacturers, repairers or dealers  
of weights and measures*

	Rs.
Manufacturers .. .. .	500
Repairers .. .. .	100
Dealers .. .. .	100

**\*SCHEDULE VII-A**

	Rs.
Fee for the alteration of licence .. .. .	50
Fee for the issue of duplicate licence .. .. .	10*

\*—\* Inserted vide G. N. No. CPC 1292/329/CR 266/CS X, dated 30.1.1993.

**SCHEDULE VIII**

[ See rule 12 (6) 7 ]

**Register of Licensed manufacturers/repairers/dealers in weights, measures,  
weighing instruments/measuring instruments**

Office of									
Licence Number	Date of issue/renewal	Name and complete address of the manufacturer/repairer/dealer	place where workshop/factory is situated	Articles to be manufactured/ repaired sold	Trade Mark/ monogram being used	Orders regarding cancellation of licence	Result of appeal	Signature of competent authority	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

*Note.*—Column (4) does not apply to dealers. Column (6) does not apply to repairers and dealers.



**\*SCHEDULE IX**

[ See rule 12 (7) ]

*Security deposit to be made by Licensee repairer*

Security deposit to be made by Licensee repairer

Rs.

200\*

\*Substituted vide G. N. No. CPC-1292/329/CR-266/CS. X, dated 30th January 1993.

**SCHEDULE X**

[See rule 13 (1)]

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

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

Serial No.	Month	(2)	(3)	Unsold stock from previous month	Quantity manufactured during the month	Total (3+4)	Sold within the State				Sold outside the State			Balance (5-11)	Remarks (6+9)
							No. of items sold	Despatch voucher No. and date	Name of the State	No. of items sold	Despatch voucher No. and date	Total sold			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)			

SCHEDULE X—contd.

[ See rule 13(1) ]

FORM LR-4

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

Name and address of the repairer . . . Licence No. . . .  
 Date of Licensing . . .

Serial No.	Date	Name of the user from whom received	Items and their Nos. booked for repairs	Receipt No. and date of issue to the user	Amount of repairing charges	Amount of verification fee	Total amount charged	Date of return to the user	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

## SCHEDULE X—Contd.

[ See rule 13 (1) ]

**Register to be maintained by dealer in weights and measures**

1. Name and address of the dealer ..
2. Description of the weight or measure ..
  - (i) Licence No. ..
  - (ii) Date on which the licence was issued ..
  - (iii) Period of validity of licence ..
3. Particulars of order, if any suspending or revoking the licence.
4. Category of weight or measure (Category A or B).—

Serial No.	Month	Unsold stock from the previous month	Brought within the State during the month	Brought from outside the State during the month	Total (3+4+5)	Sold within the State	
						No. of items sold	Despatch voucher No. and date
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Sold outside the State			Total sold (7+9)	Balance (6—12)	Remarks
No. of items sold	Despatch voucher No. and date	Name of the State			
(9)	(10)	(11)	(12)	(13)	(14)

**SCHEDULE XI**

[ See rule 16(3) ]

**Certificate of verification—Office of the Controller of Legal Metrology**

No. ....

Name of Inspector .....  
 I hereby certify that I have this day verified and stamped/rejected the undermentioned weights, measures etc. belonging to ..... Locality ..... under the above Act.  
 Registration No. as user .....

Quantity	Denominations		Weighing Instruments			Measuring Instruments	Verification fee (9)	Carriage, conveyance adjusting charges etc. (10)
	Weights	Measures	Capacity	Class	Manufacturer			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	

Rs. P. Rs. P.

Total Rs. .... deposited vide T. Receipt No. .... dated .....

Money Receipt  
 Repaired by ..... (Signature)

Next verification due on .....  
 Inspector.

**\*\*SCHEDULE XII**

[ See Rule 17(1) ]

**Fees payable for verification and stamping of Weights, Measures and Weighing and Measuring Instruments.****I. WEIGHTS.—****(a) Bullion Weights.—**

Denomination	Fee per piece	
	Rs.	Ps.
20 kg.	10.00	
10 kg.	10.00	
5 kg.	6.00	
2 kg.	6.00	
1 kg.	6.00	
500 g.	3.00	
200 g.	3.00	
100 g.	3.00	
50 g.	3.00	
20 g.	3.00	
10 g.	3.00	
5 g.	3.00	
2 g.	3.00	
1 g.	3.00	
500 mg.	2.00	
200 mg.	2.00	
100 mg.	2.00	
50 mg.	2.00	
20 mg.	2.00	
10 mg.	2.00	
5 mg.	2.00	
2 mg.	2.00	
1 mg.	2.00	

\*—\*Substituted vide Government Notification No. CPC-1293-9341/CR-5091 X-A, dated 22nd October 1993.

## Denomination

Fee per piece  
Rs. Ps.*(b) Brass Weights (Other than Bullion).—*

1 kg.	..	..	4.00
500 g.	..	..	2.00
200 g.	..	..	2.00
100 g.	..	..	2.00
50 g.	..	..	2.00
20 g.	..	..	2.00
10 g.	..	..	2.00
5 g.	..	..	2.00
2 g.	..	..	2.00
1 g.	..	..	2.00

*(c) Sheet Metal Weights (Other than Bullion).—*

500 mg.	..	..	2.00
200 mg.	..	..	2.00
100 mg.	..	..	2.00
50 mg.	..	..	2.00
20 mg.	..	..	2.00
10 mg.	..	..	2.00
5 mg.	..	..	2.00
2 mg.	..	..	2.00
1 mg.	..	..	2.00

*(d) Iron and Steel Weights.—*

50 kg.	..	..	4.00
20 kg.	..	..	4.00
10 kg.	..	..	4.00
5 kg.	..	..	4.00
2 kg.	..	..	4.00
1 kg.	..	..	4.00
500 g.	..	..	2.00
200 g.	..	..	2.00
100 g.	..	..	2.00
50 g.	..	..	2.00

Denomination	Fee per piece Rs. Ps.
<i>(e) Carat Weights.—</i>	
500 c	10.00
200 c	10.00
100 c	10.00
50 c	10.00
20 c	10.00
10 c	10.00
5 c	5.00
2 c	5.00
1 c	5.00
50/100 c	5.00
20/100 c	5.00
10/100 c	5.00
5/100 c	5.00
2/100 c	5.00
1/100 c	5.00
0.5/100 c	5.00

2. Capacity Measures (including storage tanks, vehicles tanks, Dispensing Measures and Peg Measures).

Capacity	Fee for piece
50 litres and above	Rs. 15 for the first 100 litres or part thereof <i>Plus</i> Rs. 5 for every additional 100 litres of part thereof subject to maximum of Rs. 5,000.
20 l.	6.00
10 l.	6.00
5 l.	3.00
2 l.	3.00
1 l.	3.00
500 ml.	2.00
200 ml.	2.00
100 ml.	2.00
50 ml.	2.00
20 ml.	2.00
10 ml.	2.00
5 ml.	2.00



Capacity		Fee for piece
		Rs. Ps.
2 ml.	.. ..	2.00
1 ml.	.. ..	2.00
18.5 l.	.. ..	6.00
60 ml.	.. ..	2.00
30 ml.	.. ..	2.00

### 3. Length Measures.—

#### (a) Non-Flexible :

2.00 m.	.. ..	3.00
1.00 m. (Ordinary)	.. ..	3.00
0.50 m. (Ordinary)	.. ..	3.00
1.00 m. (Graduated at every cm.)	.. ..	6.00
0.50 m. (Graduated at every cm.)	.. ..	6.00

#### (b) Fabrics or Plastic Tapes :

10 m. and above	.. ..	Rs. 6.00 for 10 m. tape above it Rs. 2.00 for every additional 5 m. upto maximum total length 100 m. tape.
5 m.	.. ..	3.00
4 m.	.. ..	3.00
3 m.	.. ..	3.00
2 m.	.. ..	3.00
1.5 m.	.. ..	2.00
1.0 m.	.. ..	2.00
0.5 m.	.. ..	2.00

#### (c) Steel Tapes.—

10 m. and above	.. ..	Rs. 6.00 for 10 m. tape above it Rs. 2.00 for every additional 5 m. upto maximum total length 200 m. tape.
5 m.	.. ..	3.00
4 m.	.. ..	3.00

Capacity		Fee for piece
		Rs. Ps.
<i>(c) Steel Tapes.—Contd.</i>		
3 m.	.. ..	3.00
2 m.	.. ..	3.00
1.5 m.	.. ..	3.00
1.0 m.	.. ..	3.00
0.5 m.	.. ..	3.00
<i>(d) Folding scales.—</i>		
1 m.	.. ..	3.00
0.5 m.	.. ..	2.00
<i>(e) Surveying Chains.—</i>		
30 m.	.. ..	10.00
20 m.	.. ..	6.00

4. Weighing Instruments (other than Beam Scales, Weighing Instruments of High Accuracy Class, Automatic Weighing Machines and Totalising Machines).

400 t.	.. ..	800
300 t.	.. ..	600
200 t.	.. ..	500
150 t.	.. ..	500
100 t.	.. ..	300
80 t.	.. ..	300
60 t.	.. ..	250
50 t.	.. ..	250
40 t.	.. ..	250
30 t.	.. ..	250
25 t.	.. ..	250
20 t.	.. ..	250
15 t.	.. ..	250
10 t.	.. ..	150
5 t.	.. ..	150
3 t.	.. ..	75
2 t.	.. ..	75
1500 kg.	.. ..	50
1000 kg.	.. ..	50
500 kg.	.. ..	50
300 kg.	.. ..	50
250 kg.	.. ..	50
200 kg.	.. ..	30
150 kg.	.. ..	30

Capacity	Fee for piece	
	Rs.	Ps.
100 kg.	30	
50 kg.	25	
30 kg.	25	
25 kg.	25	
20 kg.	15	
15 kg.	15	
10 kg.	10	
5 kg.	10	
3 kg.	10	
2 kg.	10	
1 kg.	10	
500 g. and below	6	
(Person weighing machines excluding bathroom scales).	30	

*Kitchen scale.—*

500 g.	3.00
1 kg.	3.00
2 kg.	3.00
5 kg.	3.00
10 kg.	3.00

*Tabular balances.—*

1 kg.	3.00
5 kg.	3.00
10 kg.	3.00
20 kg.	5.00
50 kg.	7.50

*Bathroom scale.—*

120 kg. and above	10.00
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<b>Capacity</b>	<b>Fee for piece Rs. Ps.</b>
<b>5. Beam Scales (Classes A &amp; B).—</b>	
200 kg. . . . .	150.00
100 kg. . . . .	120.00
50 kg. . . . .	100.00
20 kg. . . . .	100.00
10 kg. . . . .	60.00
5 kg. . . . .	50.00
2 kg. . . . .	50.00
1 kg. . . . .	50.00
500 g. and below . . . . .	30.00
<b>6. Beam Scales (Classes C &amp; D).—</b>	
1000 kg. . . . .	50.00
500 kg. . . . .	30.00
300 kg. . . . .	30.00
200 kg. . . . .	15.00
100 kg. . . . .	15.00
50 kg. . . . .	10.00
20 kg. . . . .	10.00
10 kg. . . . .	10.00
5 kg. . . . .	6.00
2 kg. . . . .	6.00
1 kg. . . . .	6.00
500 g. and below . . . . .	4.00
<b>7. Weighing instruments of High Accuracy Class.—</b>	
Exceeding 50 t. . . . .	800.00
Not exceeding 50 t. but exceeding 10 t. . . . .	300.00
Not exceeding 10 t. but exceeding 1 t. . . . .	300.00
Not exceeding 1 t. but exceeding 50 kg. . . . .	150.00
Not exceeding 50 kg. but exceeding 10 kg. . . . .	100.00
Not exceeding 10 kg. . . . .	60.00