

No. F89/Enfor./L.M.-14(01)/2017

Jaipur, Date 21.05.2021

Circular

Subject:-Compliance of Legal Metrology Act, 2009 and rules made there under.

Measurement and weighing devices are widely used by citizens or institutions or government departments for trade, commerce and protection of life, Therefore, enforcement of the accuracy of Weights or Measures and those of the package commodities in the market is an indispensable activity of the Government in a welfare state.

Legal metrology Act, 2009 treats units of weightment and measurement, methods of weightment and measurement and weighing and measuring instruments, in relation to the mandatory technical and legal requirements which have the objects of ensuring public guarantee from the point of view of security and accuracy of the weightments and measurements.

It has come to knowledge that the provisions of the Legal Metrology Act, 2009 and rules made there under are not being complied by the manufacturer/ dealer/ repairer/ user of weight or measure and manufacturer/ packer of packaged commodities related to various departments.

In view of above, some of the relevant provisions of the Legal Metrology Act (referred as LM Act) and rules which should be complied by the various departments are summarized as under:-

1. **Packaged commodities:-**

- (1) The Legal Metrology (Packaged Commodities) Rules, 2011 (in short PCR) are framed to regulate the pre-packaged commodities. Selling, distribution or delivery of any pre-packaged commodity is prohibited unless the package in which the commodity is packed bears such declaration as required to be made under Rule 4 and carries all prescribed declarations in accordance with Rule 6. The rules are applicable to "person" and as per definition given Section 2 (m) of LM Act, a person includes a HUF, every department or office, every organisation established or constituted by Government, every local authority, a company, firm and association of individuals, Trust, every co-operative society, every other society registered under the Societies Registration Act, 1860. (The extract of definition for "person" is enclosed as Annexure-I)



राजस्थान सरकार
उपभोक्ता मामले विभाग
(विधिक मापविज्ञान प्रकोष्ठ)



(2) Every individual, firm, HUF, society, company or corporation is required to get registered under Rule 27 of PC Rules with Legal Metrology Department for the purpose of pre-packing or importing any commodity for sale, distribution or delivery unless specifically exempted under Rule 26. (the extract of Rule 26 is enclosed as Annexure-II)

2. Weight or Measure –

(1) As per section 24 of the LM Act, 2009, every weight or measure intended or is likely to be used in any transaction or for protection, shall, before putting such weight or measure into such use, have such weight or measure verified.

(2) The re-verification and stamping of such weight or measure is mandatory at periodical intervals (enclosed as Annexure-III) as per rule 27 of the Legal Metrology (General) Rules 2011. The user of weight or measure can request for re-verification via 'e-tulaman' application available at Single Sign On (SSO) login web address "<https://sso.rajasthan.gov.in/signin>".

(3) The Manufacturer/ dealer/ repairer of weight or measure should have a valid license issued by the Controller or Deputy Controller, Legal Metrology Cell, Jaipur (Sec. 23 of LM Act). The process of registration is online available at Single Window Clearance System login web address "<https://swcs.rajasthan.gov.in>"

(4) The importer of such weight or measure should be registered with Director, Legal Metrology, New Delhi (Sec. 19 of LM Act).

(5) The Manufacturer/ importer of such weight or measure should obtain necessary Model approval from competent authority (Sec. 22 of LM Act) and comply with the provisions of the LM Act and Rules made there under.

3. Metric System

(1) Every unit of weight or measure should be mentioned in accordance with the metric system based on the international system of units (IS units). (Sec. 4 of LM Act) The base unit of weight or measure is enclosed as Annexure-IV.

(2) Any quotation / announcement / any price or charge / issue / exhibit price list / invoice / other document / any advertisement / poster / the net quantity of a pre-packed commodity in relation to any goods / things / service or in relation to any transaction / protection, any quantity / dimension should not be mentioned otherwise than in accordance with the standard unit of weight, measure or numeration. (The extract of Sec. 11 of LM Act is enclosed as Annexure – V)





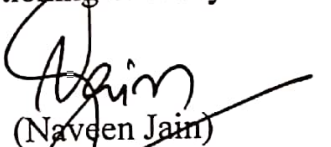
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The Legal Metrology Act and rules are available for reference at department website "<https://legalmetrology.rajasthan.gov.in/ManageContent/LegalSchedule/1>"
The contravention of Legal Metrology Act, 2009 and rules made there under are punishable with fine or with imprisonment or both. However, the initial first offence is compoundable, while the subsequent offences may lead to criminal prosecution of the responsible in default of every individual, firm, HUF, society, company or corporation.

Therefore, it is requested to ensure compliance of the provisions of the Legal Metrology Act, 2009 and rules made there under in day to day functioning of every Government department/ person

Encl: As above Annexures.

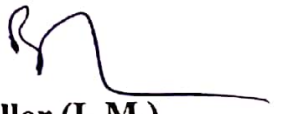

(Naveen Jain)
Secretary

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Jaipur, Date: 21.05.2021

Copy is sent for kind information and necessary actions to:

1. Principal Secretary to Hon'ble Chief Minister
2. Deputy Secretary to the Chief Secretary.
3. Special Assistant to Hon'ble State Food Minister.
4. All Additional Chief Secretaries/Principal Secretaries/Secretaries.
5. All Heads of Departments, Rajasthan Government.
6. All Divisional Commissioners.
7. All Collectors.
8. All Managing Directors of Corporation under Rajasthan Government.
9. All organizations established or constituted by Government of Rajasthan.
10. All local authority within state of Rajasthan.
11. All Companies, Firms and Associations of individual
12. All trusts constituted under an Act
13. All Cooperative Societies, constituted under an Act
14. All Societies registered under the Societies Registration Act, 1860 (21 of 1860)
15. All Hindu undivided families.
16. Guard file


Controller (L.M.)



Annexure-I

Definition of 'person' as per Legal Metrology Act, 2009

Section 2 (m) "person" includes,—

- (i) a Hindu undivided family,
- (ii) every department or office,
- (iii) every organisation established or constituted by Government,
- (iv) every local authority within the territory of India,
- (v) a company, firm and association of individuals,
- (vi) trust constituted under an Act,
- (vii) every co-operative society, constituted under an Act,
- (viii) every other society registered under the Societies Registration Act, 1860 (21 of 1860);

Annexure-II

Exemptions from Legal Metrology (Packaged Commodities) Rules, 2011

Rule 26. Exemption in respect of certain packages. Nothing contained in these rules shall apply to any package containing a commodity if -

- a) the net weight or measure of the commodity is ten gram or ten milliliter or less, if sold by weight or measure (Provided that the provisions of this clause shall not be applicable for tobacco and tobacco products).
- b) any package containing fast food items packed by restaurant or hotel and the like;
- c) it contains scheduled formulations and non-scheduled formulations covered under the Drugs (Price Control) Order, 2013 made under section 3 of the Essential Commodities Act, 1955 (10 of 1955);
PROVIDED that no exemption shall be applicable to medical devices declared as drugs.
- d) Agricultural form produces in packages of above 50 kg.
- e) Any thread which is sold in coil to handloom weavers.

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Annexure-III

Period for reverification of Weight or Measure, Tank Lorry and Vertical Oil Storage Tank Etc.

Sr. No.	Weight or Measure	Period for reverification
1.	A. Iron weights parallelepiped B. Cylindrical knob type weights C. Iron weights. Hexagonal D. Bullion weights E. Sheet metal weights	24 months
2.	Carat Weights	24 months
3.	Standard Weights for Testing of high-Capacity Weighing Machines	24 months
4.	Liquid Capacity Measures	24 months
5.	Dispensing Measures	24 months
6.	Liquor measure	24 months
7.	Length measures (non-flexible)	24 months
8.	Folding Scales	24 months
9.	Fabric or Plastic Tape measures	24 months
10.	Steel tape Measures	24 months
11.	Surveying Chains	24 months
12.	Tapes for use in Measurement of Oil Quantities	24 months
13.	Non-Automatic Weighing instruments	24 months
14.	Beam Scales	24 months
15.	Counter Machines	24 months
16.	Automatic Rail — Weighbridges	12 months
17.	Automatic Gravimetric Filling instruments	12 months
18.	Discontinuous Totalizing Automatic Weighing instruments (Totalizing hopper Weighers)	12 months
19.	Automatic instrument Weighing Road Vehicle and Motion and Measuring axle loads	12 months
20.	Volumetric Container Filling Machine	12 months
21.	Bulk Meters	12 months
22.	Water Meters (Domestic Type)	12 months
23.	(A) Measuring Systems other than water 1- Fuel Dispenser (MS & HSD) 2- Bio Diesel Dispenser 3- LPG Dispenser 4- Milk Dispenser (B) CNG measuring Systems for Vehicle 1- CNG Dispenser	12 months
24.	Volumetric Container Type liquid measuring device	12 months
25.	Clinical Thermometer	12 months
26.	Sphygmomanometer	12 months
27.	Taximeters (mechanical type & digital type)	12 months
28.	Calibration of vehicle tanks for petroleum products and other liquids	12 months
29.	Method for calibration of vertical oil storage tanks	60 months
30.	Method for computation of capacity tables for vertical oil storage tanks	60 months
31.	Spring balance	12 months
32.	Platform weighing machines (notch type) and pro-weight type	12 months
33.	Crane scale	12 months
34.	Beranger type machine	12 months
35.	Roberval counter machines	12 months
36.	Semi self-indicating machines	12 months

Annexure-IV

Standard units of weight or measure as per the LM Act 2009

Section 5: Base unit of weights and measures.-

- (1) The base unit of--
 - (i) length shall be the metre;
 - (ii) mass shall be the kilogram;
 - (iii) time shall be the second;
 - (iv) electric current shall be the ampere;
 - (v) thermodynamic temperature shall be the kelvin;
 - (vi) luminous intensity shall be the candela; and
 - (vii) amount of substance shall be the mole
- (2) The specifications of the base units mentioned in sub-section (1), derived units and other units shall be such as may be prescribed.

Section 7: Standard units of weights and measures.-

- (1) The base units of weights and measures specified in section 5 shall be the standard units of weights and measures.
- (2) The base unit of numeration specified in section 6 shall be the standard unit of numeration.
- (3) For the purpose of deriving the value of base, derived and other units mentioned in section 5, the Central Government shall prepare or cause to be prepared objects or equipment's in such manner as may be prescribed.

Annexure-IV

Section -11 Prohibition of quotation, etc., otherwise than in terms of standard units of weight, measure or numeration-

- (1) No person shall, in relation to any goods, things or service,-
 - (a) Quote, or make announcement of, whether by word of mouth or otherwise, any price or charge, or
 - (b) Issue or exhibit any price list, invoice, cash memo or other document, or
 - (c) Prepare or publish any advertisement, poster or other document, or
 - (d) Indicate the net quantity of a pre-packaged commodity, or
 - (e) Express in relation to any transaction or protection, any quantity or dimension, otherwise than in accordance with the standard unit of weight, measure or numeration.
- (2) The provisions of sub-section (1) shall not be applicable for export of any goods, things or service.