

DEPARTMENT OF LEGAL METROLOGY, REASI.

INTRODUCTION

The department of Legal Metrology came into inception in the state in the year in 1961 to adopt metric system in trade and commerce as per the policy at the national level. The department was earlier known as Weights and Measures and was under the administrative control of Revenue department. In the year 2003, the department was brought under the administrative control of Ministry of Consumer Affairs and Public Distribution.

OBJECTIVE AND WORKING

The department of Legal Metrology is working for the cause of consumer. It is a frontline organization conducting extensive market-checking to prevent unfair trade practices relating to Weights and Measures/Packaged commodities/Liquefied Petroleum. The department is regulating use of correct weighing and measuring instruments in production, trade and commerce to ensure that exact weight, measure and number of any commodity is provided to any customer as contracted for or paid for by him. It also safeguards consumer's interest by ensuring mandatory declaration on packaged commodities.

The Department carries out regular/surprise inspections in markets, fair price shops, kerosene oil depots, petrol pumps, gas agencies etc. to check whether measuring and weighting units bear valid verification stamp and deliver correct weight, measure or volume of commodities to consumers. Inspections are also conducted on receipt of complaint from any source either in writing or telephonically. Action for short measurement, use of defective and non-standard weights and measures is taken as per provision of relevant Act and Rules.

The Department undertakes verification of auto-rickshaws/taxi fare meters; tank Lorries, and petrol dispensing units. It also conducts regular checking of fare meters of auto-rickshaw/taxies on road in association with Traffic Police.

LPG retail-outlets are regularly being checked to prevent diversion of domestic cylinder to any commercial establishment. Home delivery to consumers in different localities is ensured. The department is holding seminars/workshops in school/colleges and in public places to educate students/common people about their rights as consumer. Printed material is distributed to general public to disseminate consumer information...

Acts and Rules:-

This department deals with implementation of following Acts and Rules.

1. The Standards of Weights & Measures (Enforcement) Act,1997 PDF
2. The Standards of Weights & Measures (Enforcement) Rules,2009 PDF
3. Liquefied Petroleum Gas Order 2000 issued under Essential Commodities Act 1955.
4. MS/HSD (Regulation of Supply and Distribution and Prevention of Malpractices) Order,2005 issued under Essential Commodities Act 1955.
5. Consumer Protection Act,1987

All the powers under the Weights and Measures laws rest in Controller who is assisted by Dy. Controller/Assistant Controller and Inspector, Legal Metrology to execute various provisions of the above Acts and Rules.

Forms:-

- Form for Registration of Packers / Manufacturers under Rule 35 of Standard of Weights & Measures (Packaged Commodities) Rules, 1977
- Application form for licence as Manufacturer of Weights & Measures
- Application form for licence as Repairer of Weights & Measures
- Application form for licence as Dealer in Weights & Measures
- Application form for renewal of licence as Manufacture
- Application form for renewal of licence as Repairer
- Application form for renewal of licence as Dealer

Penalties under Weights and Measures Laws

The penal provisions for violation of Standards of Weights & Measures Act 1976 and other Act have been laid down in Standards of Weights & Measures (Enforcement) Act 1997. The penalty mainly relate with the violation of manufacturing of non-standard Weights & Measures, counterfeiting of seal, short weighment / measurement, use of non verified weights & measures, not making mandatory declarations on the packaged commodities. The penalty ranges from Rs.500 to 5000/- and or imprisonment depending upon the nature and repetition of offence committed. The offences which are not compoundable (Section 37 and IIInd offence of 39) should be sent to court of law for trial.

Sl. No.	Prosecution u/s	Penalty u/s	Prosecution & Penalty for violation of sections of Standards of Weights & Measures (Enforcement) Act, 1997	Amount of offence	1st	Fine/ imprisonment 2nd Offense
1	10	40	Use on non-standard weights, measures or numbers	Rs. 2,000		One year imprisonment + Fine

2	11	41	Quotation etc. otherwise than in term of standard weights & Measures	Rs. 2,000	One year imprisonment + Fine
3	19	42	Manufacturing, dealing, repairing of weights or measures without valid License	Rs. 2000 or one year imprisonment	Three years imprisonment + Rs. 5000 fine
4	20	43	Working with suspended, cancelled License issuing in W&M	One year imprisonment	
5	21	44	Manufacturing of such weights or measures which did not confirm to the	1 year imprisonment + Rs. 2000	Three years imprisonment + Rs. 5000 fine

			std. & units of W&M as specified under the Act, Rule		
6	22	45	Sale or use of unstamped weights or measures	6 months or Rs. 1000	One year imprisonment + Fine
7	23	46	Non-maintaining of records and register by through dealing in weights or measures	Rs. 1,000	One year imprisonment + Fine
8	24	47	Failing or omitting to get weights or measures re-verified	Rs. 500	One year imprisonment + Fine

9	28	48	Non-production of weights or measures or related records for inspection	Rs. 1,000	One year imprisonment+ Fine
10	29	49	Obstructing the entry of inspection or authorizing person into any premises for discharge of his duty	Two years imprisonment	One year imprisonment + Fine
11	30 & 31	50	Obstructing CWM or his authorized representation from making search & seizer in W&M	Two years imprisonment	Five year imprisonment.

12	33	51	i) violation of Packaged Commodities Rule ii) short weightment etc. In Packaged Commodities	Rs. 5000 Rs. 3000 or 2 years imprisonment.	Five years imprisonment + Fine
13	35	52	Non-declaration of approximate weights, measures or numbers, correct up to 5% of commodities sold by heap	Rs. 1,000	6 months imprisonment + Rs.1000
14	36		Manufacturing etc. of non-standard weights or measures	3 months to 1 year imprisonment	6 months to 3 years imprisonment

15	37		i) counterfeiting and mishandling of seal/stamp of weight or measures	6 months to 1 year imprisonment 6 months to 1 year imprisonment 6 months to 1 year	1-5 years imprisonment
			ii) unlawful possession of seal/stamp		-do-
			iii) use of any seal/stamp without lawful authority iv) dealing in weights or measures with counterfeit seal/stamp		-do- -do-
16	38		i) sale of delivery of commodities etc. by non-standard weights or	Rs. 500 to	3 months to 1 year imprisonment 1-5 years imprisonment
				Rs. 2000 Rs.	

			measures ii) Rendering any service in weights or measures other than stand. weights or measures.	2000	
17	39		i) Keeping non-standard weights or measures for use and other contravention ii) short weighment etc.	Rs. 2000 Rs. 5000	1-5 year imprisonment+ fine 1-5 year imprisonment+ fine
18	53		Tempering with License issuing in W&M	Rs.2000 or 1 year imprisonment	
19	54		Dealing in rejected weights or	Rs.2000 or 1 year imprisonment	

			Measures		
20	55		Personating as Department's official	3 years imprisonment	
21	56		i) giving false information or maintaining false records or register	Rs. 1000 or 6 months imprisonment Rs. 2000	1 year imprisonment + Fine
			ii) furnishing false returns		
22	59		Penalty for contravention not provided for	Rs. 2,000	
23	39 (3)		Whoever enters into any contract or agreement in non standard	Rs. 2,000	1 year + fine

		weight or measure or number		
24	40	Use on non- standard weights, measures or numbers	Rs. 2,000	One year + Fine
25	41	Quotes, issues, exhibits, mentions indicates expresses. otherwise than in term of standard Weights & Measures	Rs. 2,000	one year+ Fine
26	42	Manufacturing, dealing, repairing of weights or measures	Rs. 2000 or one year mprisonment	three year + Fine

		without a valid License		
27	43	Working with suspended, cancelled License issuing in W&M	One year imprisonment	
28	44	Manufacturing of such weights or measures which did not confirm to the std. & units of W&M as specified under the Act, Rule	1 year imprisonment + Rs. 2000	Three year + Fine
29	45	Sale or use of unstamped weights or measures (Except used	6 months or Rs.1000	One year + Fine

		for domestic purposes)		
30	46	Non-maintaining of records and register by through dealing in weights or measures	Rs. 1,000	One year + Fine
31	47	Failing or omitting to get weights or measures re-verified	Rs. 500	One year + Fine
32	48	Non-production of weights or measures or related records for inspection	Rs. 1,000	One year + Fine

33	49	Obstructing the entry of inspection or authorizing person into any premises for discharge of his duty	Two years imprisonment	Five year.
34	50	Obstructing CLM or his authorized representation from making search & seizure in W&M	Two years imprisonment	Five year + Fine
35	51(1)	i) violation of Packaged Commodities Rule	Rs. 5,000	Five year + Fine
36	51(2)	ii) short weightment etc. In Packaged	Rs. 3000 +	Five year + Fine
			2 year imprisonment	

		Commodities		
37	52	Non-declaration of approximate weights, measures or numbers, correct up to 5% of commodities sold by heap	Rs. 1,000	6 months + Rs.1000
38	53	Tempering with License issuing in W&M	Rs. 2000 or 1 year imprisonment	
39	57 (1)	If any Inspector willfully verifies or stamps any weight or measure in contravention	1 year imprisonment + Rs. 2000	1 year + Rs.2000

		of the provision of this Act		
40	57 (2)	If willfully discloses any information obtained by him in any inspection etc.	1 year imprisonment + Rs. 2000	1 year + Rs. 2000
41	58	If any inspector makes inspection without any valid reasons	1 year imprisonment + Rs. 2000	1 year + Rs. 2000

Note: The 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 are compoundable offences. The offences can be compounded by the Controller or any officer authorized by him. In rest of the cases offences are not compoundable and complaint shall be decided by the Court of Judicial Magistrate of Ist class.

Staff Strength in District Reasi

Sr. No.	Name of the post	Sanctioned Strength	Filled	Unfilled
1.	Assistant Controller	01	01	Nil
2.	Inspector	02	01	01
3.	Manual Assistant G-I	01	-	01
4.	Manual Assistant G-II	02	-	02
5.	Account Asstt.	01	-	01
6.	Driver	01	-	01
7.	Class-IV	02	02	Nil

Statistics

The physical achievements of the department of Legal Metrology, Reasi during the years 2013-14 and 2014-15 are given below:-

Year 2013-14

Sr. No.	Month & Year	Case Booked	Case Compounded	Composition Realized	Revenue Realized	Pieces Stamped	Trade Verified	Total (Comp.+Rev.)
1.	April 2013	15	12	14600	24913	599	89	39513
2.	May 2013	20	22	16500	36418	736	81	52918
3.	June 2013	10	08	3700	15511	625	69	19211
4.	July 2013	12	12	15100	14418	137	31	29518
5.	August 2013	14	10	11200	22000	361	53	33200
6.	September 2013	15	20	8050	22391	766	90	30441
7.	October 2013	25	22	30000	22382	284	48	52382
8.	November 2013	22	24	23300	23331	240	33	46631
9.	December 2013	16	15	28700	28229	434	56	56929

10.	January 2014	10	10	17000	15150	37	03	32150
11.	February 2014	16	15	22000	23139	901	105	45139
12.	March 2014	09	10	11100	32986	265	49	44086
G. Total:-		184	180	201250	280868	5385	707	482118

2014-15(Ending February 2015)

Sr. No.	Month & Year	Case Booked	Case Compounded	Composition Realized	Revenue Realized	Pieces Stamped	Trade Verified	Total (Comp.+Rev.)
1.	April 2014	20	16	16100	25805	573	107	41905
2.	May 2014	18	19	15900	21865	430	78	37765
3.	June 2014	7	12	14700	32827	1379	141	47527
4.	July 2014	23	18	22300	31935	141	37	54235
5.	August 2014	16	17	19500	31840	349	65	51340
6.	September 2014	15	13	9800	18541	534	66	28341
7.	October 2014	15	16	19400	24697	321	50	44097
8.	November 2014	12	13	10200	21403	344	47	31603
9.	December 2014	22	22	26800	30848	169	42	57648
10.	January 2015	19	19	13950	Nil	Nil	Nil	13350
11.	February 2015	13	14	20700	30291	146	27	50991

12.								
Total:-		148	146	154700	270052	4386	660	459402

Public Information Officers of Legal Metrology Department Reasi.

S.No.	Designation of Public Information Officer	Area/office	Ist Appellate Authority
1.	Assistant Controller, Reasi(9622052798)	District Reasi	Deputy Controller Consumer Production(0191-2493942)