

Government Of Tamil Nadu

ABSTRACT

Tamil Nadu Standards of Weights and Measures (Enforcement) Act, 1985 and Tamil Nadu Standards of Weights and Measures (Enforcement) Rules 1989 – Amendment to Rules – Preliminary Notification – Confirmed.

LABOUR AND EMPLOYMENT (G1)DEPARTMENT

G.O.(2D) No.73
DATED: 07.12.2004

Read:

1. G.O.(2D) No.19, Labour and Employment dated 1.8.2001.
2. From the Commissioner of Labour, Letter No.N1/28050/99, Dated 11.12.2001 and even No. dated 18.9.2002 and 28.5.2003.

ORDER:

In the Government Order first read above, the Government have issued preliminary Notification to amend the Tamil Nadu Standards of Weights and Measures Enforcement Rules, 1989 and objections and suggestions were invited from the persons likely to be affected by that amendments.

2. The Government after examining the objections and suggestions with regard to the amendments have decided to confirm the preliminary Notification over ruling the objections.

3. The appended Notifications will accordingly be published in the Tamil Nadu Government Gazette both in English and Tamil.

4. The Tamil Development Culture and Religious Endowments (Translations) Department, Chennai-600 009 is requested to supply the Tamil Translation to the Works Manager Government Central Press, Chennai-79 directly.

5. The Works Manager, Government Central Press, is requested to send 5 copies of the Gazette in which the Notification is published for record of the Government and 5 copies to the Commissioner of Labour, Chennai-6.

(BY ORDER OF THE GOVERNOR)

The Works Manager, Government Central Press, Chennai-600 079

The Secretary to Government, Tamil Development and Culture and Religious Endowments Department, Chennai-9

The Commissioner of Labour, Chennai-6.

The Director of Legal Metrology, Ministry of Food and Consumer Affairs, Government of India, New Delhi.

Copy to:

The Law Department, Chennai-600 009

All Departments of Secretariat, Chennai-600 009.

All Sections in Labour and Employment Department, Chennai-600 009

//Forwarded by order //

SECTION OFFICER.

In the said Rules - (1) in rule 1, in sub-rule (3), clause (c) shall be submitted;

(2) in rule 2, for clause (e) the following clause shall be substituted, namely:-

"(e) Words and expression used in these Rules and not defined but defined in the Act, the Standards Act and Rules made thereunder shall have the meaning respectively assigned to them in those Acts and Rules.";

(3) in rule 6, for sub-rule (3), the following sub-rule shall be substituted, namely:-

"(3) Every Secondary Standard Balance shall be verified at least once in a period of twenty four months 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 not below the rank of Inspector of Legal Metrology as may be authorized by the Controller in this behalf.";

(4) in rule 7, for sub-rule (3), the following sub-rule shall be substituted, namely:-

"(3) Every Working Standard Balance shall be verified at least once in a period of twelve months 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 not below the rank of Inspector of Legal Metrology as may be authorized by the Controller in this behalf.";

(5) in rule 9, for sub-rule (3), the following sub-rule shall be substituted, namely:-

"(3) No beam scale or weighing instrument other than a Class A or Class B beam scale or a non-automatic weighing instrument of high accuracy Class (Class II) or special accuracy class (Class I) shall be used in any transaction referred to in sub-rules (1) and (2).";

(6) rule 10 shall be omitted;

(7) in rule 12, - (a) for sub-rule (2), the following sub-rule shall be substituted, namely:-

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

(b) for sub-rule (4), the following sub-rule shall be substituted, namely:-

(4) Every licence issued to a manufacturer or repairer or dealer shall be valid for a period of one calendar year, and may be renewed for a period of five years by the Controller or such other Officer as may be authorized by him in this behalf on payment of five times of the fee specified in Schedule VII.";

(c) for sub-rule (5), the following sub-rules shall be substituted, namely:-

"(5) The fee payable for the licence referred to in sub-rules (1) and (2) shall be as specified in Schedule VII:

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

(5)-(A) The fees payable for the alteration of a licence or for the issue of a duplicate licence shall be specified in the Table below:-

THE TABLE

Fee for the alteration of licence : Rs.50-00

Fee for the issue of duplicate licence : Rs.10-00.";

(d) after sub-rule (8), the following sub-rule shall be added, namely:-

(9) Every licence to a manufacturer, repairer or dealer shall be issued by the Controller or any other Officer authorized by him in this regard as per the norms and procedure prescribed.";

(8) in rule 13, sub-rule (2) shall be omitted;

(9) in rule 14, for sub-rule (1), the following sub-rule shall be substituted, namely:-

"(1) Every weight or measure used or intended to be used in any transaction or for industrial production or for protection shall be verified at least once in 12 months. The re-verification and stamping shall be done in the same quarter of the next year:

Provided that storage tanks including vats, shall be re-verified and recalibrated and stamped at least once in a period of five years.";

(10) in rule 15, - (a) for sub-rule (3), the following sub-rule shall be substituted, namely:-

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

(b) for sub-rule (6), the following sub-rule shall be substituted, namely:-

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

(11) in rule 16, - (a) for sub-rule (2), the following sub-rule shall be substituted, namely:-

"(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:- The year shall be deemed to consist of four quarters, of which first quarter shall be of the months of January, February and March, which shall be marked as A' Second quarter shall be of the months of April, May and June, which shall be marked as B; Third quarter shall be of the months of July, August and September, which shall be marked as C; and Fourth quarter shall be of the months of October, November and December, which shall be marked as D.";

(b) for sub-rule (4), the following sub-rule shall be substituted, namely:-

(4) Where a Certificate of Verification is lost or destroyed, the holder of the Certificate of Verification shall forthwith apply to the Inspector who has issued the Verification Certificate, for the issue of a duplicate licence of verification. Every such application for the issue of duplicate certificate shall be accompanied by a fee of rupees ten.";

(12) in rule 17, -

(a) for sub-rule (2), the following sub-rule shall be substituted, namely:-

(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 full rates specified in Schedule XII and the uses 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 one hundred.";

(b) for sub-rules (4) and (5), the following sub-rule shall be substituted, namely:-

"(4) Full fee shall be payable for re-stamping any weight or measure held in stock with manufacturer or dealer within the period specified in Rule 14 from the date on which it was last stamped, provided that the original stamp was not obliterated under sub-section (3) and section 23 of the Act.

(5) A weight or measure, which on re-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 percent of the fees prescribed in Schedule XII failing which full fee shall be charged and if found correct shall be stamped.";

(c) after sub-rule (5) as so substituted, the following sub-rule shall be added, namely-

"(6) Fees 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 10 words or less.";

(13) in rule 18, for sub-rule (1), the following sub-rule shall be substituted, namely:-

"(1) Before commencing the work of verification or re-verification, the Inspector shall inform the person concerned of the fees payable by him under these Rules and shall receive the same in the manner as specified by the Controller and issue a receipt in the form approved by the Controller, one copy of such receipt being kept on record.";

(14) for rule 19, the following rule shall be submitted, namely:-"

"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 proceed credited to the Government.

Provided that the Controller may direct that unverified 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 at the expiry of the validity of the stamp.

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

Provided that in the absence of the order of the Court, weight or measure or document or things or goods shall be dealt with as the Controller may, by special order, direct.

(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 obtain the signature of not less than two persons present at the time of such refusal by the trader or his agent or other person. In the case of goods returned to the trader, he shall give an undertaking that he shall not sell the defective goods without rectifying the defects thereon.

(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 there-under 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):

Provided that the Controller shall be the final authority to decide whether the goods seized and detained are subject to speedy or natural decay.

(5) Where the goods seized under sub-section (1) of section 29 of the Standards Act 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.

(6) The goods referred to under sub-rule (4) which are not to be the subject of proceedings in a Court be so dealt with as prescribed below:-

The goods referred to under sub-rule (4) which are 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 special order direct.";

(15) in rule 22, - (a) sub-rule (4) shall be omitted.

(b) after sub-rule (15), the following sub-rule shall be added, namely:-

(6) To ensure proper delivery of the petrol or diesel pumps, the retail dealer of the pump shall keep a verified 5 litre capacity measure in his premises and check the output from the pump every day to ensure its correct delivery. In case of any short delivery the dealer shall stop the delivery through the pump immediately and inform the Inspector / Authorised Officer to recalibrate the pump.";

(16) Schedules I, II, IIA, III shall be omitted;

(17) for Schedules VA, VB, the following Schedules shall be substituted, namely:-

SCHEDULE VA

(See Rule 12(1))

FORM IM-I

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

Sl. No.	To be filled by the applicants	Comments of the Inspection Officer
(1)	(2)	(3)
1	Name of the manufacturing concern for which licence is desired.	
2.	Complete address of the concern. Whether premises are owned / rented / taken on lease / lease licence, duly supported by documents.	
3.	Date of establishment of workshop / factory.	
4.	Name(s) and address(es) along with their father's / husband's name of proprietor(s) and / or Partners and / Managing Director(s) in the case of Limited company.	
5.	The date and current Registration No. of Factory / Shop / Establishment / Municipal Trade Licence.	
6.	Nature of manufacturing activities at present.	
7.	The type of weights and measures proposed to be manufactured. viz., (i) Weights (ii) Measures (iii) Weighing Instruments (iv) Measuring Instruments with details in each case.	
8.	The number of persons employed / proposed to be employed: (i) Skilled	

	(ii) Semi-skilled (iii) Unskilled (iv) Specialist in the line.	
9.	The monogram or trade mark intended to be imprinted on weights and measures to be manufactured.	
10.	Details of machinery, tools accessories owned and used for manufacturing weights and measures etc.,	
11.	Details of foundry / workshop facilities arranged. Whether ownership, long term lease etc.	
12.	Facilities of steel casting and hardness testing of vital parts.	
13.	Availability of electric energy.	
14.	Details of loan received from Government or financial institution. If so, give details.	
15.	Name of Bankers, if any,	
16.	Sales Tax Registration No. / GST No. / Professional Tax Registration No. / I.T. No.	
17.	Have you applied previously for a manufacturer licence. If so, when and with what results?	
18(a)	Whether the item(s) proposed to be manufactured will be sold within the State (or) outside the State or both.	
(b)	Details of Model Approval received from Government of India, or when can you produced 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 Act, 1976, the Standards of Weights and Measures (Enforcement) Act, 1985 and the Tamil Nadu Standards of Weights and Measures (Enforcement) Rules, 1989 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 are true to the best of my / our knowledge.

Date: **Signature and Designation**

To be filled in by the Departmental Officer of the State Government

Date of receipt of application :

Serial No. of application :

Date of inspection :

Recommendation of Inspecting Officer:

Place:

Date: **Signature and Designation of the**

Sl. No.	To be filled by the applicants	Comments of the Inspection Officer
(1)	(2)	(3)
1	Name of the repairing concern seeking the licence.	
2.	Complete address of the workshop.	
3.	(a) Whether premises are owned / rented / taken on lease / lease licence, duly supported by documents. (b) Date of establishment of workshop / factory.	
4.	Name(s) and address(es) along with their father's / husband's name of proprietor(s) and / or Partners and / Managing Director(s) in the case of Limited company.	
5.	Number and date of Shop / Establishment / Current Municipal Trade Licence.	
6.	Professional Tax / I.T. Tax Registration No.	
7.	The type of weights and measures proposed to be repaired.	
8.	Area in which you wish to	

	operate.	
9.	Previous experience in the line.	
10.	Number of skilled staff employed or proposed to be employed. (a) Skilled (b) Semi-skilled (c) Unskilled (d) Employees trained in the line.	
11.	Details of machinery / tools / accessories available.	
12.	Availability of electric energy.	
13.	Have you sufficient stock of loan / test weights, etc? Give details.	
14.	Have you applied previously for a repairer's licence. If so, when and with what results?	

To be certified by the applicant

Certified that I / We have read the Standards of Weights and Measures Act, 1976, the Standards of Weights and Measures (Enforcement) Act, 1985 and the Tamil Nadu Standards of Weights and Measures (Enforcement) Rules, 1989 and agree to abide by the same and also the administrative orders and instructions issued or to be issued there under.

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 are true to the best of my / our knowledge.

Date:
Designation

Signature and

To be filled in by the Departmental Officer of the State Government

Date of receipt of application :

Serial No. of application :

Date of inspection :

Recommendation of Inspecting Officer:

Place:

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

Office Seal:

Final orders of Licensing Authority

Licence granted / refused :

Licence Number :

Valid till :

Place:

Date : **Signature and Designation**

FORM LD-I

(Application form for licence as Dealers in Weights and Measures under the Standards of Weights and Measures (Enforcement) Act, 1985.

Sl. No.	To be filled by the applicants	Comments of the Inspection Officer
(1)	(2)	(3)
1	Name of the establishment / shop / person seeking the licence.	
2.	(a) Complete address of the establishment / shop / person. (b) Whether premises are owned / rented / taken on lease / lease licence, duly supported by documents.	
3.	Date of establishment.	
4.	Name(s) and address(es) along with their father's / husband's name of proprietor(s) and / or Partners and / Managing Director(s) in the case of Limited company.	
5.	Number and date of Registration Number of current Shop / Establishment / Municipal Trade Licence.	
6.	Categories of Weights and Measures sold / proposed to be sold at present.	

7.	Registration Number of CST / Sales Tax / Professional Tax / Income Tax.	
8.	Do you intend to import weights, etc. from places outside the State / Country? If so, indicate sources of supply: (Give details of manufacturer's trade mark / monogram and his licence number)	
9.	Have you applied previously for a dealer's licence either in this State or elsewhere? If so, give details?	

To be certified by the applicant

Certified that I / We have read the Standards of Weights and Measures Act, 1976, the Standards of Weights and Measures (Enforcement) Act, 1985 and the Tamil Nadu Standards of Weights and Measures (Enforcement) Rules, 1989 and agree to abide by the same and also the administrative orders and instructions issued or to be issued there under.

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 are true to the best of my / our knowledge.

Date:

Signature and Designation

Date of receipt of application :

Serial No. of application :

Date of inspection :

Recommendation of Inspecting Officer:

Place:

**Date:
Officer.**

Signature and Designation of the Inspecting

Office Seal:

Final orders of Licensing Authority

Licence granted / refused.

Licence Number

Valid till

Place:

Date:

Signature and Designation

SCHEDULE- VB

(See rule 12(1))

FORM –LM-2

(Application for renewal of Licence as Manufactures of Weights , Measures under the Standards of Weights and Measures (Enforcement) Act, 1983)

Sl. No.	To be filled by the applicants	Comments of the Inspection Officer
(1)	(2)	(3)
1	Name and complete address of the manufacturing concern for which renewal of the licence is desired.	
2.	Manufactures Licence Number.	
3.	Name(s) and address(es) along with their father's / husband's name of proprietor(s) and / or Partners and / Managing Director(s) in the case of Limited company.	
4.	(a) The type of Weights and Measures which are manufactures as per licence granted: (b) Do you propose any change?	
5.	The monogram or trade marks used on Weights and Measures manufactured by you.	
6.	Details of workshop facilities available .	
7.	Details of production and sales in the last 5 years	
8.	Number and date of shop/establishment Registration Number.	
9.	Registration Number of Sales Tax/CST/Professional Tax /Income Tax.	

To be certified by the applicant

Certified that I / We have read the Standards of Weights and Measures Act, 1976, the Standards of Weights and Measures (Enforcement) Act, 1985 and the Tamil Nadu Standards of Weights and Measures (Enforcement) Rules, 1989 and agree to abide by the same and also the administrative orders and instructions issued or to be issued there under.

I / We have deposited the scheduled licence fees of Rs. (Rupees
.) to the Sub-Treasury / Bank on and the original
challan is enclosed

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

Place:

Date:

Signature and Designation

FORM LR-2

**(Application for renewal of licence as Repairers in Weights and Measures under
the Standards of Weights and Measures (Enforcement) Act, 1985.**

Sl. No.	To be filled by the applicants	Comments of the Inspection Officer
(1)	(2)	(3)
1	Name and complete address of the repairing concern / person seeking renewal of the licence.	
2.	Repairer's Licence Number.	
3.	Name(s) and address(es) along with their father's / husband's name of proprietor(s) and / or Partners and / Managing Director(s) in the case of Limited company.	
4.	Registration Number and date of current Shop / Establishment / Municipal Trade Licence.	
5.	Registration Number of Sales Tax / Professional Tax / Income Tax.	
6.	(c) The type of Weights and Measures repaired as per licence granted. (d) Do you propose any change?	
7.	Details of repair works done in the	

	last 5 years.	
8.	Area in which you are operating.	
9.	Have you sufficient stock of loan / test weights etc.?	
10.	Please give details with particulars of Stamping.	

To be certified by the applicant

Certified that I / We have read the Standards of Weights and Measures Act, 1976, the Standards of Weights and Measures (Enforcement) Act, 1985 and the Tamil Nadu Standards of Weights and Measures (Enforcement) Rules, 1989 and agree to abide by the same and also the administrative orders and instructions issued or to be issued there under.

I / We have deposited the scheduled licence fees of Rs. (Rupees) to the Sub-Treasury / Bank on and the original challan is enclosed

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

Place:

Date:

Signature and Designation

FORM LD-2

(Application for renewal of the licence as Dealers in Weights, Measures under the Standards of Weights and Measures (Enforcement) Act, 1985.

Sl. No.	To be filled by the applicants	Comments of the Inspection Officer
(1)	(2)	(3)
1	Name of the establishment / shop / person seeking the renewal of licence.	
2.	Dealer's Licence Number.	
3.	Date of establishment.	
4.	Name(s) and address(es) along with father's / husband's name of proprietor(s) and / or Partners and / Managing Director(s) in the case of Limited company.	
5.	Registration Number and date of Shop / Establishment / Current Municipal Trade Licence.	

6.	Categories of weights and measures sold at present.	
7.	Registration Number of CST / Sales Tax / Professional Tax / Income Tax.	
8.	Details of sales done in the last 5 years.	
9.	Are you intending to import weights and measures etc. from places outside the State / Country? If so, indicate sources of supply from the State(s) / Country (Give details of manufacturer's trade mark / monogram and his licence number)	

To be certified by the applicant

Certified that I / We have read the Standards of Weights and Measures Act, 1976, the Standards of Weights and Measures (Enforcement) Act, 1985 and the Tamil Nadu Standards of Weights and Measures (Enforcement) Rules, 1989 and agree to abide by the same and also the administrative orders and instructions issued or to be issued there under.

I / We have deposited the scheduled licence fees of Rs. (Rupees) to the Sub-Treasury / Bank on and the original challan is enclosed

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

Place:

Date:

Signature and Designation

(18) in Schedule VI, -

(a) in Form LM-3, for the heading "conditions of licence", and the conditions there under, the following heading and conditions shall be substituted, namely:-

"CONDITIONS OF LICENCE" (Manufacturer)

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;

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

(d) Comply with any general or special directions that may be given by the Controller of Legal Metrology.

(e) Surrender the licence in the event of closure of business and / or cancellation of licence;

(f) Present the weights, measures, weighing or measuring instruments as the case may be, manufactured and meant for use within the State to the Inspector for verification and stamping before sale;

(g) Present the weights, measures, weighing or measuring instruments as the case may be manufactured and meant for use outside the State and covered under the First Schedule of the Inter State Verification and Stamping Rules, 1987, to the Inspector for verification and stamping before sale; and

(h) Submit the application for renewal of this licence, as required under the rules before at least 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.";

(b) in Form LR-3, for the heading "conditions of licence", and the conditions there under, the following heading and conditions shall be substituted, namely:-

"CONDITIONS OF LICENCE" (Repairer)

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;

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

(d) Comply with any general or special directions that may be given by the Controller of Legal Metrology.

(e) Surrender the licence in the event of closure of business or cancellation of licence;

(f) (1) Present the weights, measures, weighing or measuring instruments as the case may be, duly repaired to the Inspector for undertaking verification and stamping as specified in Rule 14(1) before delivery to the user;

(2) In the case of weights, measures, weighing or measuring instruments if they are serviced / repaired before the date on which the verification falls due, and where, in the process and the verification stamp of the Inspector is defaced, removed or broken they shall be presented duly repaired to the Inspector for re-verification and stamping before delivery to the user.

(g) Submit the application for renewal of this licence, as required under the rules before at least 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.";

(c) in Form LD-3, for the heading "conditions of licence", and the conditions there under, the following heading and conditions shall be substituted, namely:-

"CONDITIONS OF LICENCE" (Dealer)

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;

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

(d) Comply with any general or special directions that may be given by the Controller of Legal Metrology.

(e) Surrender the licence in the event of closure of business and / or cancellation of licence;

(f) Submit the application for renewal of this licence, as required under the rules before at least thirty days of the date of expiry of 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 to whom the licence has been granted.";

(19) for Schedule VII, the following Schedule shall be substituted, namely:-

"SCHEDULE-VII"

[See rule 12 (5)]

Licensing and Renewal Fees for manufacturers, repairers or dealers of Weights and measures.

Manufacturers----- Rs.500/- per year

Repairer ----- Rs.100/- per year

Dealer ----- Rs. 100/- per year.";

(20) for Schedule IX, the following schedule shall be substituted, namely:-

"SCHEDULE IX

[See rule 12(7),]

Security deposit to be made by license repairer:-

Repairers of Weights and Measures excluding weighing

and measuring instruments. : Rs. 2500

Repairers of Weights and Measures including

weighing and measuring instruments. : Rs. 5000.";

(21) in the NOTE, under Schedule XI, the following sentence shall be added at the end, namely:-

"In the case of rejected Weights , Measures

etc. the inspector shall give separate certificate

of rejection, mentioning the reasons for rejection

against each item.";

(22) for Schedule XIII, the following Schedule shall be substituted, namely:-

"SCHEDULE XIII

Form of appeal against an order of an Inspector/Assistant Controller/Deputy Controller/Controller.

1. Name and address of the appellant:

2. No. and date of the order of the Inspector/

Assist ant Controller/Deputy Controller/Controller of Legal Metrology against which the appeal is preferred (enclose copy of the order).

3. Whether the appellant desires to be heard in person or through an authorised representative:

4. Grounds of appeal. ";

(23) after schedule XIII, the following Guidelines shall be added, namely:-

"GUIDELINES FOR MANUFACTURER/REPAIRERS/DEALERS OF WEIGHTS AND MEASURES FOR APPLYING OF LICENCE ETC.

A. The policy for fresh licence for manufacture, repair and sale of Weights and Measures.

1. Every licence shall be issued in a prescribed form on a payment of prescribed fee and shall be valid for a prescribed period.

2 Every licence application shall be entertained in the prescribed form along with the supporting documents papers etc. required for the particular licence i.e. manufacturer, repairer or sale of Weights and Measures.

1. Application for licences shall be examined by the Inspector, Legal Metrology as mentioned below:-

(i) Manufacturer Grade I-ILM

(ii) Repairer Grade I-ILM

(iii) Dealer Grade II – ILM

In case Grade II Inspector, Legal Metrology (ILM) has not been posted in ;the Zone due to some administrative reasons, the application for fresh dealer licence shall be processed by the Senior Grade-III Inspector, LM posted in the Zone. The Grade II or Grade III ILM as the case may be shall furnish a detailed report along with the clear observations, recommendations etc. to Grade I-ILM who is the incharge of the Zone. If Grade I Inspector Legal Metrology is satisfied with the report and recommendation of Grade-II or Grade III-ILM he will refer the case to concerned Assistant Controller along with his observation and recommendations. Grade I Inspector may visit the premises of the applicant for any clarification etc. if he is not satisfied with the report etc. of Grade-II or Grade III ILM of his Zone.

2. No incomplete application shall be sent to Headquarter by the Grade I-ILM

3. The supporting documents etc., are mentioned against the heading

Manufacturing License, Repairer License or Seller/Dealer license.

4. Assistant Controller shall visit the premises of the applicant as a test check, if

