

Draft Maharashtra State (Enforcement) Rules, 2010.

1) Short title and commencement-

(1) These rules may be called the Maharashtra Legal Metrology (Enforcement) Rules, 2010.

(2) They extend to the whole of 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 different provisions of these rules.

2) **Definitions** - In these rules, unless the context otherwise requires

(a) "Act" means the Legal Metrology Act, 2009.

(b) "Reference Standards Laboratory" means a laboratory set up by the Central Government under the Act, where **Reference** Standards, Secondary Standards and Working Standards are maintained:

(c) "Schedule" means a schedule appended to these rules:

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

3) **Reference Standards** -

The Reference Standards shall be kept at such place, in such manner and in such custody as prescribed under the Legal Metrology (National Standards) Rules, 2010-

4) **Secondary Standards** – (1) Every secondary Standards shall be verified at any of the Reference Standards Laboratories, in such manner and at such periodical intervals as may be prescribed by the rules made under the 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 or a certificate of verification shall be issued by that laboratory.

(2) The 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 Standards laboratories or at any of the Secondary Standards Laboratories maintained by the State Government, in such manner and at such periodical intervals as may be prescribed under the **rules** and shall, if found on such verification to conform to the Standards established by or under the Act, be stamped or **certificate of verification will be issued by that laboratory as the case may be.**

(2) The Working Standards shall be kept in the custody of legal metrology officer.

6) Secondary Standard balances -

(1) A set of Secondary standard balances shall be maintained at every place where Secondary Standard Weights are kept.

(2) The number, types and specifications of such balances shall be such as may be prescribed under the Legal Metrology (General) Rules, 2010.

(3) Every Secondary Standard balance shall be verified at least once within 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 Act, by the Reference Standards Laboratory or by the Controller or such other officer as may be authorized 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 **Legal Metrology (General) Rules, 2010.**

(3) Every Working Standard balance shall be verified at least once within 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 Legal Metrology (General) Rules, 2010**, by the Reference Standard Laboratory or at any of the place **where Secondary Standards are maintained by the State Government.**

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 protection. shall conform as regards physical characteristic, configuration, constructional details, materials, performance, tolerances and such other details, to the specifications prescribed under the Act **or the Legal Metrology (General) Rules, 2010.**

9) Use of Bullion Weights, Carat Weights etc. -

(1) No Weight other than a Bullion Weight **as specified in General Rules**, shall be used in any transaction **or protection** in bullion including precious metals, pearls, ornaments or other articles made of gold or silver.

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

(3) **Only beam scale of class A or class B category or a non automatic weighing instrument of high accuracy class (class II) or special accuracy class (class I) shall be used in any transaction or protection referred to in sub-rules (1) and (2).**

10) Use of weights only or measures only or number only in certain cases. -

Except in the cases of commodities specified in **Schedule I**, the declaration of quantity in every transaction, dealing or contract, 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.

11) Licensing of manufacturer, repairer and dealer 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 legal metrology or such other **Legal Metrology Officer** as may be authorized by him in this behalf, in the appropriate form set out in **Schedule II-A**.

Provided that no licence to repair shall be required by a manufacturer to repair weight or measure manufactured by him and used in a state other than the state of manufacture of the same/ but the manufacturer has to inform in advance the concerned legal metrology officer about the repairing.

Provided that a person who bonafide repairs any weight or measure owned or possessed by him shall not require a repairer licence.

Provided that licence shall not be issued unless the applicant has passed technical ability test as may be specified by the Controller.

(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 legal metrology or such other officer as may be authorized by him in this behalf, in the appropriate form set out in **Schedule II-B**.

Provided that no licence shall be renewed unless the holder of licence has done such a minimum manufacturing / repairing work as may be specified by the Controller without any reasonable ground ..

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

(4) Every licence issued to a manufacturer, repairer, or dealer shall be valid for a minimum period of one calendar year and may be renewed for a period of one to

five calendar years, by the Controller or such other officer as may be authorized by him in this behalf on payment of necessary fee as specified in the Schedule IV.

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

Provided that an additional fee per year at full the rates specified in **Schedule IV** 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 three months from the date of expiry of the licence.

Provided that an additional fee per year at half the rates specified in Schedule IV shall be payable by the applicant within a period of thirty days before the date of expiry of the period of validity of the licence..

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

(7) Every manufacturer / repairer / dealer licenced under the Act and these rules shall maintain such workshop / equipments / tools/ registers etc. as the case may be, as per the terms and conditions of the licence.

(8). Every repairer licenced under the Act and these rules shall furnish a security deposit for each licence to the State Government as specified in Schedule VI.

(9) Every licence issued or renewed under this Act shall be displayed in a conspicuous place in the premises where the Licencee carries on business.

(10) A licence issued or renewed under this Act shall neither be salable nor transferable.

(11) Nothing contained in this rule shall apply to the sale by a user (who is not a maker, manufacturer, dealer or repairer) of any weight or measure:

Provided that no sale of any weight or measure of the prescribed description shall be made except with the written permission of the Controller or the authorized Legal Metrology Officer.

(12) No person shall be given licence to manufacture or repair unless he himself or a person employed by him-

is a graduate of a recognized University in Science (with Physics as one of the subjects), engineering or holds a recognized diploma in engineering or ITI in respective trade or equivalent course.

Provided that nothing in the sub rule 12 shall apply to the person who have been holding a valid licence before the commencement of these rules.

11 A) Conditions of licence for 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) Submit the application for renewal of this licence as required under the rules.

(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."

3) The manufacturing / repairing work shall be done by qualified persons as prescribed by the rules.

4) Any change in qualified persons should be reported within one month to the licence issuing authority.

5) Any change in the constitution of the firm should be reported to the licence issuing authority within one month.

6) Nothing in the rules shall confer on the licensee any assignable or transmissible right.

Explanation 1 :- The licensee shall not be deemed to have been assigned or transmitted within the meaning of this rule in the following cases, namely

(a) where the licensee being an individual enters into a partnership with any other person for carrying on the business concerned; but in any such case the firm may use the licence, if otherwise in force only for so long as the licensee is a member of the firm;

(b) where the licensee being a firm subsequently undergoes a change in its constitution; but in any such case the reconstituted firm may use the licence, if otherwise in force, only for so long as any partner of the original firm at the time of issuance of the licence, continues to be partner of the reconstituted firm.

Explanation 2 :- For the purpose of explanation 1, "firm" has the same meaning as in the Indian Partnership Act, 1932.

11 B) Conditions of licence for 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 and/or cancellation of licence;
 - (f) Submit the application for renewal of this licence as required under the rules.
 - (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."
- 3) The manufacturing / repairing work shall be done by qualified persons as prescribed by the rules.
- 4) Any change in qualified persons should be reported within one month to the licence issuing authority.
- 5) Any change in the constitution of the firm should be reported to the licence issuing authority within one month.
- 6) Nothing in the rules shall confer on the licensee any assignable or transmissible right.

Explanation 1 :- The licensee shall not be deemed to have been assigned or transmitted within the meaning of this rule in the following cases, namely

- (a) where the licensee being an individual enters into a partnership with any other person for carrying on the business concerned; but in any such case the firm may use the licence, if otherwise in force only for so long as the licensee is a member of the firm;
- (b) where the licensee being a firm subsequently undergoes a change in its constitution; but in any such case the reconstituted firm may use the licence, if otherwise in force, only for so long as any partner of the original firm at the time of issuance of the licence, continues to be partner of the reconstituted firm.

Explanation 2 :- For the purpose of explanation 1, "firm" has the same meaning as in the Indian Partnership Act, 1932.

- 7) The Controller may cause a co-ordinated programme to be undertaken, at such a place and in such a manner as he may think fit for the establishment of maximum repairing charges for a weight or measure. The repairer shall abide to the ceiling of maximum repairing charges.

11 C) Conditions of licence for 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 within ninety days 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.
3. Any change in the constitution of the firm should be reported to the licence issuing authority within one month.
4. Nothing in the rules shall confer on the licensee any assignable or transmissible right.

Explanation 1 :- The licensee shall not be deemed to have been assigned or transmitted within the meaning of this rule in the following cases, namely

- (a) where the licensee being an individual enters into a partnership with any other person for carrying on the business concerned; but in any such case the firm may use the licence, if otherwise in force only for so long as the licensee is a member of the firm;
- (b) where the licensee being a firm subsequently undergoes a change in its constitution; but in any such case the reconstituted firm may use the licence, if otherwise in force, only for so long as any partner of the original firm at the time of issuance of the licence, continues to be partner of the reconstituted firm.

Explanation 2 :- For the purpose of explanation 1, “firm” has the same meaning as in the Indian Partnership Act, 1932.

12) Suspension and cancellation of licence granted:

- (1) The Controller or such other Legal Metrology Officer authorized by him in this behalf may, if he has any reasonable cause to believe that the holder of any licence issued, renewed or continued under this Act has made any statement in, or in

relation to, any application for the issue, renewal or continuance of the licence, which is incorrect or false in any material particular or **the licensee has failed to comply any of the conditions of the licence** or has contravened any provision of the Act or any rule or order made there under, suspend such licence, pending the completion of any inquiry against the holder of such licence:

Provided that no such licence shall be suspended unless the holder thereof has been given a reasonable opportunity of showing cause against the proposed action:

Provided further that where the inquiry referred to in this subsection is not completed within a period of three months from the date of suspension of a licence, such suspension shall, on the expiry of the period aforesaid, stand vacated.

(2) The Controller or **such other Legal Metrology Officer authorized by him in this behalf** may, if he is satisfied, after making such inquiry as he may think fit, that the holder of a licence has made a false or incorrect statement of the nature referred to in **sub-rule (1), or the licensee has failed to comply any of the conditions of the licence** or has contravened any provision of the Act or any rule or order made there under referred to in that **sub-rule** , cancel such licence:

Provided that no such licence shall be cancelled unless the holder thereof has been given a reasonable opportunity of showing cause against the proposed action.

(3) Every person whose licence has been suspended shall, immediately after such suspension, stop functioning as such licensee and shall not resume business as such Licensee until the order of such suspension has been or stands, vacated.

(4) Every licensee whose licence has been suspended or cancelled shall, after such suspension or cancellation, as the case may be, surrender such licence to the authority by which such licence was issued.

(5) Every licensee whose licence has been cancelled shall, within a period of thirty days from the date of such cancellation, or within such further period, not exceeding three months from such date, as the Controller or **such other Legal Metrology Officer authorized by him in this behalf** may, on sufficient cause being shown, allow, dispose of the weights or measures which were in his possession, custody or control on the date of such cancellation and in the event of his failure to do so, the Controller or any other **Legal Metrology Officer** authorized by him, in writing, in this behalf, may seize and dispose of the same and distribute the proceeds thereof in such manner as may be prescribed.

13) Records to be maintained by manufacturers, etc -

Every manufacturer or repairer of, or dealer in weight or measure licensed under the Act and these rules shall maintain records and registers in the appropriate form set out in **Schedule VII** and also submit such periodical report / returns as may be specified.

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 protection shall be verified and stamped by the Legal Metrology Officer in the state in

which such weight or measure is put to use on receipt of such fee as specified in the Schedule IX and shall be re-verified and stamped at periodical intervals.

Explanation: For the removal of doubts it is hereby declared that no periodical re-verification shall be necessary in relation to any weight or measure which is used exclusively for the domestic purpose.

(2) The period of re-verification shall be,

(i) within twenty four months (two years) for all weights, capacity measures, length measures, tape, beam scales, counter machine,

(ii) sixty months (five years) for storage tanks, vats.

(iii) twelve months (one year) for weight or measure including tank lorry other than that mentioned in (i) and (ii) above.

(3) Notwithstanding anything contained in sub-rule (2) 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 such payment prescribed in **Schedule IX**, before being put into use.

(4) Notwithstanding anything contained in sub-rule (1) every weight or 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 such payment prescribed in **Schedule IX**, 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 protection shall present such weight or measure for verification / re-verification, at the office of the Legal Metrology Officer or at such other place as the Legal Metrology Officer 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 Legal Metrology Officer at least thirty days in advance of 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, Legal Metrology Officer shall **take** necessary steps for the verification of such weight or measure at the place of **its** location.

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

(4) Every weight or measure presented for verification shall be complete in itself.

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

(6) A Legal Metrology Officer may visit, as frequently as possible during the period specified in sub-rule (2) of rule 14, every premise 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 protection.

(7) The legal metrology officer shall obliterate the stamp on any weight or measure, if it is found during inspection that:-

(a) Any weight or measure which being due for re-verification has not been submitted for such re-verification.

(b) Any weight or measure which does not conform to the Standards established by or under the Act.

Provided that where the legal metrology officer 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 inform the user, of the defect or error found in the weight or measure and call upon user to remove the defect or error within such time, not exceeding eight days and shall-

(i) if 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 Act, verify and stamp such weight or measure.

Explanation: The obliteration of the stamp on any weight or measure shall not take, away or abridge the power of the legal metrology officer to seize such weight or measure in accordance with the Provisions of the Act.

16 Stamping of weights or measures -

(1) The Legal Metrology Officer shall stamp every weight or measure, if after testing and verification, he is satisfied that such weight or measure conforms to the standards established by or under the Act, with a stamp of uniform design, issued by the Controller, which shall indicate the number allotted for administrative purpose to the Legal Metrology Officer 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 Legal Metrology Officer shall take such action as may be directed by the controller by a general or a special order in writing.

(2) The Legal Metrology Officer 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 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.

(3) On completion of verification and stamping the Legal Metrology Officer shall issue a certificate of verification in the form set out in **Schedule VIII or Certificate in case of rejected weight or measures shall be issued separately.**

(4) Where a certificate of verification is lost or destroyed, the holder of the certificate of verification shall forthwith apply to the Legal Metrology Officer 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 hundred.**

(5) On receipt of an application under sub-rule (4), the Legal Metrology Officer shall issue to the applicant a duplicate copy of the certificate of verification marked 'DUPLICATE'.

17) Fee for verification –

(1) Fees payable for verification and stamping of weight or measure at the office or camp office of the Legal Metrology Officer shall be as specified in **Schedule IX.**

(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 Legal Metrology Officer, an additional fee shall be charged at half the rate specified in the **Schedule IX** and the user of the weight or measure shall pay the

expenses incurred by the Legal Metrology Officer 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.**

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

(i) vehicle tanks for petroleum products and other liquids, Meter for Liquids Other than Water (Fuel Dispenser, Liquid Petroleum Gas, Milk Dispensers), Compressed Natural Gas Dispensers, Non-automatic Weighing Instruments like weigh bridges, platform machines, crane scale, Automatic Gravimetric Filling Instruments, Automatic Rail-weighbridge, Discontinuous Totalizing Automatic Weighing Instruments, and such other weight or measure which cannot, and should not be moved from its location;

(ii) Weight or measure in the premises of manufacturer or dealer of such weight or measure.

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

(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

(5) A weight or measure which on verification/inspection is found to be incorrect shall be **rejected and** 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 50 per cent of the fees specified in **schedule IX**, failing which full fee shall be charged and if found correct shall be stamped.

18) Collection of fees and deposit into the Treasury -

(1) Before commencing the work of verification or re-verification, the Legal Metrology Officer shall inform the person concerned of the fees payable by him and shall receive the same in the manner as **authorized** by the controller and issue a receipt on 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 realized in such manner as may be directed by the Controller.

(2) The Legal Metrology Officer 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 payment received by the Legal Metrology Officer 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 authorized by him in this behalf.

19) Disposal of seized weights, measures, etc. –

(1) Where any goods seized under sub-section (3) of section 15 are subject to speedy or natural decay, the Controller or any person authorized by him and other legal metrology officer in this behalf shall have the goods weighed or measured on a verified weighing or measuring instrument available with him or nearest **to** the place of **offence** and enter the actual weight or measure of the goods in a form specified in **schedule-X**, 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 after such weighing or measuring 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 Controller or the legal metrology officer authorized by him in this behalf 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.

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

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

there under and the goods in such package are subject to speedy or natural decay, the Controller or legal metrology officer authorized by him in this behalf, so far as may be, may dispose of the goods in such package in accordance with the provisions of sub-rule (1).

(3) Where the goods seized under sub-rule (1) are not subject to speedy or natural decay, the Controller and other Legal Metrology Officers in this behalf 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.

(4) No unverified weight or measure, seized under sub-section (3) of section 15, shall be forfeited if the person, from whom such weight or measure was seized, agrees to get the same verified and stamped within a period of ten days or such extended period from the date of such seizure; and for this purpose, the person making the seizure of such weight or measure shall offered a reasonable opportunity by returning such weight or measure exclusively for the verification and stamping.

20) 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 Rule shall be deemed to conform to the standards established by or under the 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 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 repaired 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.

21) Qualifications of Legal Metrology Officer:

(1) No person shall be appointed as Legal Metrology Officer unless he

(a) is a graduate of a recognized university in Science (with physics as one of the subjects), technology or engineering or holds a recognized diploma in engineering with three years professional experience; and

(b) Is able to speak, read and write at least one of the regional languages of the state.

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

(3) The person appointed to the post of Legal Metrology Officer shall have to **successfully** complete the basic training course at the Indian Institute of Legal Metrology established by the Central Government under section 21 of the Act before he is given the duties under the Act and the Rules **and** considered for confirmation to the post.

22) Provision of supply of Working/Secondary Standards, equipment, etc. to the Legal Metrology Officer -

(1) Every Legal Metrology Officer shall be provided with Working /Secondary Standards weights, Working/Secondary Standard balances, and such other equipment includes weighing and measuring devices as may be approved by the Controller from time to time.

(2) Every Legal Metrology Officer shall be provided with such dies, punches, ***paper seal/sticker*** 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 Legal Metrology Officer shall be provided with punches of suitable sizes of eight-pointed star as shown below for obliterating stamps.

23) Provisions relating to use of weights measure, 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 **further the weighing instrument should be placed in such a way that the process of weighment should be clearly visible to the consumer.**

(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 authorized by him in this behalf.

(4) 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, which ever is minimum** and consumer **shall have right to** check the accuracy of the weighing instrument. The user shall check the weighing instrument with *these* weights everyday to ensure correct weighment . in case of any error greater than permissible error, user shall stop the use of such weighing instrument and will inform the concerned Legal Metrology Officer to re-verify the same.

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

(5) To ensure proper delivery of the petrol/diesel pumps, the retail dealer of the pump shall keep a verified 5 litre/10litre 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 legal metrology officer concerned to recalibrate the pump.

24) 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 with the person:

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

25) 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 five thousand rupees. Whenever rules are in conflict with the provisions of the Act, the Act will prevail the rules.

26) Form of appeal - (1) Every appeal under the Act and these rules shall be preferred in the form set-out in **schedule XI**, and shall be accompanied by a copy of the order appealed against.

(2) **An application for appeal to State Government shall be accompanied by fee of Rs. 500 and for appeal to Controller shall be accompanied by fee of Rs. 200 paid either by Demand Draft or Pay Order or by affixing court fee stamp for the said value as the case may be.**

27) Fee for compounding of offences- The fee for compounding of offences committed under the Act shall be as prescribed in Schedule XII.

SCHEDULE – I**(See Rule 10)**Exceptions referred to in **Rule 10**

- 1- The following commodities may be sold by weight, measure or number as show 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 liquefied gas (but not liquefied 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, un perfumed	weight or volume
9-	Fruits and vegetables	number or weight
10-	Furnace oil	weight or volume
11-	Linseed oil and other vegetable oils	weight or volume
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
19-	Paint (other than paste paints or solid paint), varnish and varnish stairs, enamels	volume
20-	Papad	number and weight
21-	Paste paint, solid paint	weight
22-	Ressogulla, Gulabjamun and other sweet preparations	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 – II “A”

[See rule 11 (1)]

Form – LM – 1

[Application form for licence as manufacturer of weights & measures under the Legal Metrology Act, 2009]

To,

	To be filled by the Applicant	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/leave licence, duly supported by documents.		
3. Date of Establishment of workshop/factory.		
4. Name (s) and address (s) 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 number 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 Skilled (ii) Semi-skilled (iii) Unskilled		(i)

- (iv) Specialist trained in the line
9. Details of qualified personnel
 10. The monogram or trade mark intended to be Imprinted
on weights and measures to be manufactured.
 11. Details of machinery, tools accessories, owned and
used for manufacturing weights measures etc.
 12. Details of foundry/workshop facilities arranged.
Whether ownership, long term lease etc.
 13. Facilities of steel casting and hardness testing of
Vital parts etc or other means.
 14. Availability of electric energy.
 15. Details of loan received from Government or financial
Institution. If so, give details.
 16. Name of bankers, if any.
 17. VAT/ Sales Tax Registration Number/CST Number/
Professional Tax registration Number/IT Number.
 18. Have you applied previously for a manufacturer's
licence? If so, when and with what results ?
 19. (a) Whether the item (s) proposed to be
manufactured will be sold within the State or
out side the state or both.
 - (b) Details of Model Approval received from
Government of India;
 - (c) When can you produce
for inspection samples of your products for which
licence is desired ?

To be certified by the applicant (s)

Certified that I/We have read the Legal Metrology Act, 2009 and the Maharashtra Legal Metrology (Enforcement) Rules, 2010 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 Licencing 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 Departmental Officer of the State Government

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 – IIA

[See rule 11 (1)]

Form LR – 1

[Application for licence as repairers of Weights & Measures under the Legal Metrology Act,
2009]

To,

	To be filled by the applicants	Comments of the inspecting officer
1	2	3
1. Name of the concern seeking the licence.		
2. Complete address of the workshop.		
3. (a) Whether premises are owned/rented/taken. on lease dully supported by documents. (b) Date of establishment.		
4. Name (s) and address (s) 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/IT Tax registration Number etc if any.		
7. The type of weights and measures proposed to 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: (i) Skilled (ii) Semi-skilled (iii) Unskilled (iv) Employees trained in the line		
11. Details of qualified personnel		
12. Details of machinery/tools/accessories available.		

13. Availability of electric energy.
14. Have you sufficient stock of loan/test weights. etc.?
Give details.
15. Have you applied previously for a repairer's licence?
If so, When and with what results?

To be certified by the applicant(s)

Certified that I/We have read the Legal Metrology Act, 2009 and the Maharashtra Legal Metrology (Enforcement) Rules, 2010 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 is true to the best of my/our knowledge.

Place :

Date : Signature and Designation

To be filled in by Departmental Officer of the State Government

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 Licencing Authority

licence granted/refused :

licence Number :

Valid till :

Place :

Date : Signature and Designation

SCHEDULE – II-A

[See rule 11 (1)]

Form LD-1

[Application Form for Licence as Dealers in Weights & Measures under the Legal Metrology Act, 2009]

To,

	To be filled by the applicant	Comments of the inspecting officer
1	2	3
1. Name of the establishment/shop/person seeking the licence.		
2. Complete address of the establishment etc.		
3. Date of establishment.		
4. Name (s) and address (s) of proprietors 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 VAT/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) and provide		
(a) Registration of Importer of Weights and Measures, if any		
(b) Approval of model imported into India by Central Government.		
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(s)

Certified that I/We have read the Legal Metrology Act, 2009 and the Maharashtra Legal Metrology (Enforcement) Rules, 2010 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 is true to the best of my/our knowledge.

Place :

Date :

.....

Signature and Designation

To be filled in by Departmental Officer of the State Government

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 II-B

[See rule 11 (2)]

Form LM-2

[Application for renewal Licence as Manufacturer of Weights & Measures under the Legal Metrology Act, 2009]

To,

1	To be filled by the applicants 2	Comments of the inspecting officer 3
1.	Name and complete address of the manufacturing concern for which renewal of licence is desired.	.....
2.	Manufacturing Licence No.	.....
3.	Name (s) and address (s) 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) Type of weights and measures which are manufactured 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 VAT/Sales Tax/CST/Professional Tax/Income Tax.	.....
10.	Any change in constitution of the firm or qualified personnel	.....

To be certified by the applicant (s)

Certified that I/We have read the Legal Metrology Act, 2009 and the Maharashtra Legal Metrology (Enforcement) Rules, 2010 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 is true to the best of my/our knowledge.

Place :

Date :

Signature and Designation

SCHEDULE II-B

[See rule 11 (2)]

Form LR-2

[Application for renewal Licence as repairer of Weights & Measures under the Legal Metrology Act 2009]

To,

	To be filled by the applicants	Comments of the inspecting 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 (s) 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 VAT/ Sales Tax/CST/Professional Tax/Income Tax.		
6. (a) The Type of weights and measures repaired as per licence granted.		
(b) Do you propose any change.		
7. Area in which you are operating.		
8. Have you sufficient stock of loan/test weights, etc.?		
9. Please give details with particulars of stamping.		
10. Any change in constitution of the firm or qualified personnel		

To be certified by the applicant (s)

Certified that I/ We have read the Legal Metrology Act, 2009 and the Maharashtra Legal Metrology (Enforcement) Rules, 2010 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 is true to the best of my/our knowledge.

Place :

Date :

Signature and Designation

SCHEDULE II-B

[See rule 11 (2)]

Form LD-2

[Application for renewal Licence as Dealer in Weights & Measures under the Legal Metrology Act 2009]

To,

	To be filled by the applicants	Comments of the inspecting 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 (s) 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. Registration Number and date of shop/establishment/ current Municipal Trade Licence.		
6. Categories of weights and measures sold at present.		
7. Registration Number of VAT/ CST/Sales Tax/Professional Tax/Income Tax.		
8. 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 (s). (Give details of manufacturer's trade mark/ monogram and his licence number.)		

To be certified by the applicant (s)

Certified that I/We have the Legal Metrology Act, 2009 and the Maharashtra Legal Metrology (Enforcement) Rules, 2010 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 is true to the best of my/our knowledge.

Place :

Date :

.....
Signature and Designation.

SCHEDULE III

[See rule 11 (3)]

Licensing Forms

FORM LM-3

Government of -----

OFFICE OF THE CONTROLLER OF LEGAL METROLOGY

Licence to manufacture, weights, measures, weighing 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 weights, measures, weighting instruments or measuring instruments that are licenced 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
- 4- The manufacturer shall comply with the conditions noted below. If he fails to comply with anyone of these, his licence is liable to be cancelled.
- 5- The trade mark monogram being used by the manufacturer is as under.

.....

(Signature)

Controller of legal Metrology

Govt. of-----

(Seal)

Date

Place

Note: In the case of firm, its name with the names of all names of all persons having 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 amended from time to time;
 - (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 legal metrology officer for verification and stamping before sale;
 - (g) Submit the application for renewal of this licence as required under the rules within thirty days 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.
- 3) *The manufacturing / repairing work shall be done by qualified persons as prescribed by the rules.*
- 4) *Any change in qualified person should be reported within one month to the license issuing authority.*
- 5) *any change in the constitution of the firm should be reported to the license issuing authority within one month.*
- 6) *Nothing in this rule shall confer on the licensee any assignable or transmissible right.*

Explanation 1:- The licensee shall not be deemed to have been assigned or transmitted within the meaning of this rule in the following cases, namely

Where the licensee being an individual enters into a partnership with any other person for carrying on the business concerned; but in any such case the firm may use the license, if otherwise in force only for so long as the licensee is a member of the firm.

Where the licensee being a firm subsequently undergoes a change in its constitution; but in any such case the reconstituted firm may use the license, if otherwise in force, only for so long as any partner of the original firm at the time of issuance of the license, continues to be partner of the reconstituted firm.

Explanation 2 :- For the purpose of explanation 1, "firm" has the same meaning as in the Indian Partnership Act, 1932.

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

SCHEDULE III

[See rule 11 (3)]

Licencing Forms

FORM LR-3

GOVERNMENT OF -----

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 licenced 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
- 4- The repairer shall comply with the conditions noted below. If he fails to comply with any one, his licence is liable to be cancelled.
- 5- The party is licenced to repair weights, measures, weighting 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;
 - (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) (i) Present the weights, measures, weighing or measuring instruments as the case may be duly repaired to the legal metrology officer for under taking verification and stamping as specified in rule 14(1), before delivery to the user.
(ii) 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 legal metrology officer is defaced, removed or broken, they shall be presented duly repaired to the legal metrology officer for re-verification and stamping before delivery to the user.
 - (g) Submit the application for renewal of this licence as required under the rules within ninety days 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."
 - 3) *The manufacturing / repairing work shall be done by qualified persons as prescribed by the rules.*
 - 4) *Any change in qualified person should be reported within one month to the license issuing authority.*
 - 5) *any change in the constitution of the firm should be reported to the license issuing authority within one month.*
 - 6) *Nothing in this rule shall confer on the licensee any assignable or transmissible right.*

Explanation 1 :- The licensee shall not be deemed to have been assigned or transmitted within the meaning of this rule in the following cases, namely

Where the licensee being an individual enters into a partnership with any other person for carrying on the business concerned; but in any such case the firm may use the license, if otherwise in force only for so long as the licensee is a member of the firm.

Where the licensee being a firm subsequently undergoes a change in its constitution; but in any such case the reconstituted firm may use the license, if otherwise in force, only for so long as any partner of the original firm at the time of issuance of the license, continues to be partner of the reconstituted firm.

Explanation 2 :- For the purpose of explanation 1, "firm" has the same meaning as in the Indian Partnership Act, 1932.

- (7) *The Controller may cause a co-ordinated programme to be undertaken, at such a place and in such a manner as he may think fit for the establishment of maximum repairing charges for a weight or measure. The repairer shall abide to the ceiling of maximum repairing charges.*

Renewal Entries

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

Schedule III
[See rule 11 (3)]
Licencing form
FORM – LD- 3

Government of -----

Office of the controller of legal metrology

Licence to a 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 weights and measures, weights, 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 To.
- 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)

Date

Controller of Legal Metrology

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;
 - (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 within ninety days 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.

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

SCHEDULE – IV

[See rule – 11 (4) & (5)]

Government of

Office of Controller of Legal Metrology

Licencing and renewal fees for manufacturers, repairers of dealers of weights and measures

Issue of licence / renewal of licence to:

(i) Manufacturers	Rs. 5000/- per year
(ii) Repairers	Rs. 2000/- per year
(iii) Dealers	Rs. 1000/- per year

SCHEDULE—V

[See rule 11 (6)]

Government of

Office of Controller of Legal Metrology

Register of licenced manufacturers/ Repairers/ Dealers of weights, measures, weighing /
measuring instruments

Office of

Li- cenc e Num ber	Date of is- sue/ re- new- al	Name and com- plete ad- dress of the man- ufac- turer /re- pairer/ dealer	Place where work- shop/ fact- ory is situ- ated	Articles to be manufac- tured/ re- paired/ sold	Trade mark/ mono- gram being used	Orders regard- ing cancel- lation of li- cence	Res ult of ap- peal	Signa- ture of com- petent author- ity	Re m Ar k
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 deal-
ers.

SCHEDULE VI

[See rule 11(8)]

Government of

Office of Controller of Legal Metrology

Security deposit to be made by licensee repairer

Repairer of weights and measures including weighing and measuring instruments.	Rs. 5000.00
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SCHEDULE – VII

[See rule 13]

LM-4

Register to be maintained by the manufacturers of weights and measurers.

- 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
- (i) Period of validity of the licence
- 4- Particulars of order, if any, suspending or revoking
the licence.

S.No.	Month	Unsold stock from pre- vious month	Quantity manufactured during the month	Total 3+4	Sold within the state	
					No. of item sold	Dispatch voucher no. and date
1	2	3	4	5	6	7

Sold outside the state		Dispatch voucher no. and date	Total sold (6+9)	Balance (5-11)	Remarks
Name of the state	No. of items sold				
8	9	10	11	12	13

Schedule – VII

[See rule 13]

LR-4

Register to be maintained by the repairer in respect of weights, Measures

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

Date of Licensing

S. No.	Date	Name of the user from whom re- ceived	Items and their Nos. booked for repair	Receipt No. and date of issue to the user
1	2	3	4	5

Amount of re- pairing charges	Amount of verification fee	Total amount charged	Date of return to the user	Remarks
6	7	8	9	10

Schedule – VII

[See rule 13]

LD-4

Register to be maintained by dealer in weights and measures.

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

Sr. No.	Month	Unsold stock from the previous month	Brought from within the state during the month	Brought from outside the state during the month	Total (3+4+5)
1	2	3	4	5	6

Sold within the state		Sold outside the state			Total sold (7+9)	Balance (6-12)	Remarks
No. of items sold	Dispatch voucher no. and date	No. of items sold	Dispatch voucher No. and date	Name of the state			
7	8	9	10	11	12	13	14

Schedule - VIII

[See rule 16 (3)]

Government of Maharashtra
(Food, Civil Supplies and Consumer Protection Department)
Office of the Controller, Legal Metrology,
(Legal Metrology Act 2009 and Maharashtra Legal Metrology (Enforcement) Rules 2010)

Certificate of verification

Date:

Name of Legal Metrology Officer- No.

Camp- Division-
.....

I hereby certify that I have this day verified and stamped/ rejected the under mentioned vveights,
measurers, etc. belonging to.....Locality.....

Number, Denomination , Capacity, Class, Manufacturer and types of Weights, Measures, Weighing and Measuring Instruments.	Verification Fees	
	Rs.	Paise
Total Verification Fee		
Additional Fee		
Other charges (Handling, T.A., D.A., Adjustment etc.		
Grant Total		

Total Rs-..... (in words Rupees-
.....)

Deposited vide Tr. challan /Money receipt .No -..... dated -

Last V.C. No. with Date-

Next Verification due on-
Legal Metrology Officer
_____ Div.

Schedule-IX

[See Rule 14 (1), 17]

Fee payable for verification and Stamping of Weights and Measures and Weighing and Measuring Instruments

1- (a) Bullion Weights:

Denomination (1)	Fee per piece (Rs.) (2)
10 Kg.	30.00
5 Kg.	20.00
2 Kg.	20.00
1 Kg.	20.00
500 g.	15.00
200 g.	15.00
100 g.	15.00
50 g.	15.00
20 g.	15.00
10 g.	15.00
5 g.	15.00
2 g.	15.00
1g	15.00

(b) Carat Weights:

100g (500 c)	20.00
40g (200 c)	20.00
20g (100 c)	20.00
10g (50 c)	20.00
4g (20 c)	20.00
2g (10 c)	20.00
1g (5 c)	20.00
400mg (2 c)	20.00
200mg (1 c)	20.00
100mg (0.5 c)	20.00
40mg (0.02 c)	20.00
20mg (0.01 c)	20.00
10mg (0.05 c)	20.00
4mg (0.02c)	20.00
2mg (0.01 c)	20.00
1mg (0.005c)	20.00

(c) Cylindrical knob type weights:

Denomination (1)	Fee per piece (Rs.) (2)
10 Kg.	20.00
5 Kg.	20.00
2 Kg.	15.00
1 Kg.	10.00
500 g.	5.00
200 g.	5.00
100 g.	5.00
50 g.	5.00
20 g.	5.00
10 g.	5.00
5 g.	5.00
2 g.	5.00
1g	5.00

(d) Sheet metal Weight (other than Bullion)

Denomination (1)	Fee per piece (Rs.) (2)
500 mg.	5.00
200 mg.	5.00
100 mg.	5.00
50 mg.	5.00
20 mg.	5.00
10 mg.	5.00
5 mg.	5.00
2 mg.	5.00
1 mg.	5.00

(e) Iron hexagonal, knob type weights and parallelepiped weights:

Denomination (1)	Fee per piece (Rs.) (2)
50 Kg.	25.00
20 Kg.	20.00
10 Kg.	20.00
5 Kg.	20.00
2 Kg.	15.00
1 Kg.	10.00
500 g.	5.00

200 g.	5.00
100 g.	5.00
50 g.	5.00
20g	5.00
10g	5.00
5g	5.00
2g	5.00
1g	5.00

(f) Standard weights for testing of high capacity weighing machines:

Denominations	Fee corresponding to Max permissible relative error 0.5/10000 in Rs.	Fee corresponding to Max permissible relative error 3.3/10000, 1.7/10000 and 1.0/10000 in Rs.
100kg	75.00	50.00
200kg	150.00	100.00
500kg	300.00	200.00
1000kg	750.00	500.00
2000kg	1500.00	1000.00
5000kg	3000.00	2000.00

2- Capacity Measures:

Denomination (1)	Fee per piece (Rs.) (2)
100 litre and above	Rs. 50 for the 1st 100 litre plus Rs. 7 for every additional 100 litre or part thereof subject to maximum of Rs. 5000.
50 l	50.00
20 l	20.00
10 l	20.00
5 l	10.00
2 l	10.00
1 l	10.00
500 ml	10.00
200 ml	10.00
100 ml	10.00
50 ml	10.00
20 ml	10.00
10 ml	10.00
5 ml	10.00
2 ml	10.00
1 ml	10.00

3- Length Measures:**(a) Non-Flexible –**

Denomination (1)	Fee per piece (Rs.) (2)
2 m.	10.00
1 m.	10.00
0.5 m.	20.00
1 m. graduated (at every cm)	20.00
0.5 m. graduated (at every cm)	20.00

(b) Fabric Plastic/ Woven/Steel tapes –

Accuracy Class (1)	Fee per metre in Rs.
Class-I	1.00
Class-II	0.50
Class-III	0.50

(c) Folding Scales –

Denomination (1)	Fee per piece (Rs.) (2)
1 m.	10.00
0.5 m.	10.00

(d) Surveying Chain –

Denomination (1)	Fee per piece (Rs.) (2)
30 m.	100.00
20 m.	100.00

4- Beam Scale Class A & B:

Denomination (1)	Fee per piece (Rs.) (2)
200 kg.	400.00
100 kg.	300.00
50 kg.	150.00
20 kg.	150.00
10 kg.	150.00
5 kg.	100.00

2 kg.	100.00
1 kg.	100.00
500 g and below	60.00

5- Beam Scales Class C & D:

Denomination (1)	Fee per piece (Rs.) (2)
1000 kg.	200.00
500 kg	200.00
300 kg	200.00
200 kg	100.00
100 kg	100.00
50 kg	20.00
20 kg	20.00
10 kg	20.00
5 kg	15.00
2 kg	15.00
1 kg	15.00
500 g and below	10.00

6- Non-Automatic Weighing Instruments - Mechanical (analogue) Class III & IIII :

400 t	4000.00
300 t	3000.00
200t	3000.00
150 t	2000.00
100 t	2000.00
80 t	2000.00
60 t	2000.00
50 t	2000.00
40 t	2000.00
30 t	2000.00
25 t	2000.00
20 t	2000.00
15 t	2000.00
10 t	1000.00
5 t	500.00
3 t	400.00
2 t	400.00
1500 kg	300.00
1000 kg	300.00
500 kg	300.00
300 kg	200.00
250 kg	200.00
200 kg	100.00
150 kg	100.00
100 kg	100.00
50 kg	100.00

30 kg	100.00
25 kg	60.00
20 kg	60.00
15 kg	30.00
10 kg	30.00
5 kg	30.00
3 kg	30.00
2 kg	30.00
1 kg	15.00
500 g. and below	15.00

7- Non-Automatic Weighing Instruments - Electronic Class III & III :

400 t	4000.00
300 t	3000.00
200t	3000.00
150 t	2000.00
100 t	2000.00
80 t	2000.00
60 t	2000.00
50 t	2000.00
40 t	2000.00
30 t	2000.00
25 t	2000.00
20 t	2000.00
15 t	2000.00
10 t	1000.00
5 t	1000.00
3 t	500.00
2 t	500.00
1500 kg	250.00
1000 kg	250.00
500 kg	250.00
300 kg	200.00
250 kg	200.00
200 kg	200.00
150 kg	200.00
100 kg	200.00
50 kg	200.00
30 kg	200.00
25 kg	200.00
20 kg	100.00
15 kg	100.00
10 kg	100.00
5 kg	100.00
3 kg	100.00
2 kg	100.00
1 kg	100.00
500 g. and below	100.00

8- Not Automatic Weighing instruments both mechanical and electronics class I & II:

Capacity	Fee (Rs.)
Exceeding 50 t	3000.00
Not exceed 50t but exceed 10t	2000.00
Not exceed 10t but exceed 1t	1000.00
Not exceed 1t but exceed 50kg	500.00
Not exceed 50kg but exceed 10kg	250.00
Not exceed 10kg	200.00

9- Automatic Weighing Instrument:

Capacity	Fee in Rs.
Exceeding 100 t	4000.00
Not exceeding 100t but exceeding 50t	3000.00
Not exceeding 50t but exceeding 10t	2000.00
Not exceeding 10t but exceeding 1t	1000.00
Not exceeding 1t but exceeding 50kg	500.00
Not exceeding 50kg but exceeding 10kg	250.00
Not exceeding 10kg	200.00

10- Volumetric measuring instruments:

- (a) Dispensing pumps each pump : Rs.1000.00 per unit
- (b) Totalizing counter : Rs. 500.00 per unit
- (c) Other instruments :

Capacity	Fee in Rs.
Exceeding 100 litre	Rs. 500 for the 1st 100 liters plus Rs. 250 for every additional 100 liters or part thereof
Not exceeding 100 litre but exceeding 50 litre	500.00
Not exceeding 50 litre but exceeding 20 litre	250.00
Not exceed 20 litre	200.00

11- Flow meters:

- Flow rate up to 100 litre/ min. Rs.2000.00
- Above 100 litre/ min upto 500 litre/ min Rs.3000.00

Above 500 litre /min.

Rs.5000.00

12- Linear Measuring Instruments:

Taxi, Autorishaw meters

Rs.100.00

Other meters

Rs.50 for the Ist 1000 m. or part there of
Plus Rs. 5.00 for every additional 100 m. or part thereof

13- Clinical Thermometer

Rs. 0.50 per unit

14- Water meter

Rs. 25.00 per unit

15- Peg Measure:

30 ml	Rs.50.00
60 ml	Rs.50.00
100 ml	Rs.50.00

16. CNG

(a) Dispensers

: Rs. 1000.00 per unit

(b) Totalizing counter

: Rs. 500.00 per unit

17. LPG

(a) Dispensers

: Rs. 1000.00 per unit

(b) Totalizing counter

: Rs. 500.00 per unit

18. Counter Machine-

(i) Up to capacity 10 kg.

: Rs. 20.00

(ii) Above capacity 10 kg.

: Rs. 50.00

SCHEDULE X

[See Rules-19(3) of the Maharashtra Legal Metrology (Enforcement) Rules,2010.]

WEIGHT OR MEASURE OF THE GOODS SUBJECT TO SPEEDY OR NATURAL DECAY.

1. Name & address of the trader
from whom the goods are seized :
2. Name & address of the Manufacturer/
Packer if the goods seized are in package form :
3. Nature & description of the goods seized :
4. Actual weight or measure of the goods seized :
5. Approximate value of the goods seized :
6. Remarks :

Signature of the Legal Metrology Officer.

DECLARATION OF THE TRADER

The above seized goods valued about Rs. _____(Rupees.....)
have been returned to me as they are subject to speedy or natural decay. I am responsible
for the value of the goods and I undertake to abide by the instructions of the Department
or Court.

I solemnly state that the facts mentioned above are true.

SIGNATURE OF THE
TRADER OR HIS AGENT.

SCHEDULE -XI

[See rule 26(1)]

Form of appeal against any order or decision given by Controller or Legal Metrology Officer:

- 1- Name and address of the appellant
- 2- No. and date of order of Controller of Legal Metrology/ Legal Metrology Officer against which the appeal is preferred.
- 3- Whether the appellant desires to be heard in person or through an authorized representative.
- 4- Grounds of appeal

Place:

Signature of the Appellant.

Date :

SCHEDULE-XII
(See rule-27)
Compounding Fee for Various offences

Sr no	Nature of offence	Section	Penal section	Maximum compounding fees					
				Individual or HUF or Proprietor	Firm or Partner of Firm	Society or Director of society	Company or Director of company	Trust or Trustee	Government Department or local authority
1	Use of non-standard weight or measure	8(3)	25	Rs.5000	Rs.5000	Rs.5000	Rs.25000	Rs.5000	Rs.25000
2	Manufacture or sale of non standard weight or measure	8(4)	27	Rs.10000	Rs.10000	Rs.10000	Rs.20000	Rs.10000	Rs.20000
3	Making any transaction deal or contract in contravention of the prescribed standard	10	28	Rs.5000	Rs.5000	Rs.5000	Rs.10000	Rs.5000	Rs.10000
4	Quoting or publishing,etc ,of non-standard units	11	29	Rs.5000	Rs.5000	Rs.5000	Rs.10000	Rs.5000	Rs.10000
5	Transactions in	12	30	Rs.5000	Rs.5000	Rs.5000	Rs.10000	Rs.5000	Rs.10000

	contravention of standard weight or measure								
6	Non- production of documents etc.	15(2) 17	31	Rs.1000	Rs.1000	Rs.1000	Rs.5000	Rs.1000	Rs.5000
7	Use of unverified weight or measure	24(1), 33	33	Rs.2000	Rs.2000	Rs.2000	Rs.10000	Rs.2000	Rs.10000
8	Sale or delivery of commodities , etc,by non – standard weight or measure	34	34	Rs.3000	Rs.3000	Rs.3000	Rs.5000	Rs.3000	Rs5000
9	Rendering services by non-standard weight ,measure or number	35	35	Rs.3000	Rs.3000	Rs.3000	Rs.5000	Rs.3000	Rs.5000
10	Compliance of declaration in respect of pre-packaged commodity	18(1)	36(1)	Rs.5000	Rs.5000	Rs.5000	Rs.25000	Rs.5000	Rs.25000
11	Compliance of net quantity requirement of pre-packaged commodity by manufacturer	18(1)	36(2)	Rs.10000	Rs.10000	Rs.10000	Rs.50000	Rs.10000	Rs.50000
12	Manufacture of weight and measure without licence.	23	45	Rs.10000	Rs.10000	Rs.10000	Rs.20000	Rs.10000	Rs.20000

13	Repair,sale,etc. of weight or measure without licence	23	46	Rs.2500	Rs.2500	Rs.2500	Rs.5000	Rs.2500	Rs.5000
14	Tampering with licence	47	47	Rs.10000	Rs.10000	Rs.10000	Rs.20000	Rs.10000	Rs.20000
15	Provision of any rule made under the Act	53(3)	53(3)	Rs.2500	Rs.2500	Rs.2500	Rs.5000	Rs.2500	Rs.5000