

CHAPTER -18 (MANUAL -17)

OTHER USEFUL INFORMATION

FREQUENTLY ASKED QUESTIONS

1. What are W & M laws? What is the necessity of imposing these laws?

It ensures uniform enforcement of Standards and connected matters in W&Ms throughout the country. The Govt. has enacted : 1. The Legal Metrology Act, 2009, 2. The Legal Metrology (Packaged Commodities) Rules, 2011, 3. The Legal Metrology (General) Rules, 2011, 4. The Legal Metrology (Approval of Models) Rules, 2011, 5. The Legal Metrology (National Standards) Rules, 2011, 6. The Legal Metrology (Numeration) Rules, 2011, 7. The Indian Institute of Legal Metrology Rules, 2011, 8. The Delhi Legal Metrology (Enforcement) Rules, 2011.

2. Is there any licence to manufacture, sale or repair Weights & Measures?

Yes, the Department issues licence to the manufacturer, dealer and repairer of Weights & Measures and for dealing in weights & measuring instruments, the licence is a must.

3. How can consumer ensure that any Weights & Measures is standard or not?

Every W&M used by the dealer is stamped by the W&M Department after due verification, with a special seal indicating the identification of Inspector and quarter in which it is verified. The validity of such stamped weights is two years whereas in the case of Counter/Beam/Electronic Balances/Platform scale it is one year. Dispensing unit, weigh bridge verification certificate is issued to the user which is required to be displayed at conspicuous place by the trader/user.

4. Who is the competent authority to grant licence?

Controller, W&M is the competent authority to grant the licence. For the convenience of the public W&M Deptt. has been divided into Nine Districts. The applicant can submit his application for grant of licence to the Zonal Officer of the concerned district.

5. Who is packer ?

Any person or a firm, which pre-packs any commodity whether in any bottle, tin, wrapper or otherwise in units suitable for sale, is a Packer. Packers need to register themselves with this Department.

6. What is pre-packed Commodity?

Pre-packed Commodity means a Commodity, which without the purchaser being present, is placed in a package of whatever nature whether sealed or opened, so that the commodity contained there in has a pre-determined value and includes those commodities which could be taken out of the package for testing or examining or inspecting the commodity.

7. Can a dealer charge legally more than the maximum retail price mentioned on the package?

No, overcharging is an offence for which the trader can be prosecuted.

8. What is calibration?

Verification and stamping of the capacity of the Vehicle Tank or its compartment or any equipment is called Calibration.

9. What is the validity period of any Weight or Measure?

| Name of the Weights | Validity Period |
|----------------------------|------------------------|
| Cast Iron Weights | Two Years |
| Bullion Weights | Two Years |
| Counter Machine | Two Year |
| Beam Scale | Two Year |
| Electronic Scale | One Year |
| Platform Machine | One year |
| Steel Meter | One year |
| Volume measures | Two year |
| Peg measures | One year |

For the facility to the public the Government have created four Quarters (A) Jan. to March (B) April to June (C) July to September (D) October to December.

For example:- Any Weight or Measure got verified in January it can be re-verified up to next due (A) Quarter i.e, within January to March without any penalty.

10. Who is the competent Authority for grant of Licence to Packer/Manufacturer/ Dealer/Repairer in W & M and Certificate of Registration as packer / manufacturer / importer of packaged commodities?

The Controller, Weights & Measures is the competent Authority to grant Licence for Manufacturer/ Dealer/ Repairer in W & M. Registration as Packer/Manufacturer/Importer of packaged commodities is also done by the controller.

11. What are the precautions to be taken by a person while purchasing Pre-Packed Commodities from Whole seller/ Supplier/ Manufacturer/ Shopkeeper?

Every person who either purchase or sells any Commodity in Pre-packed shape should ensure that it bears the following declarations:-

- Name and complete address of the Manufacturer, Packer and / or importer of the packaged commodities.
- Net contents in terms of weight, volume or number.
- Date of manufacture/packing/import of the commodity (month and year).
- Maximum Retail Price (inclusive of all taxes).
- Generic name of the commodity.
- Customer Care Number with name, address, Telephone No. of the person/office which can be contacted in case of consumer complaints.
- Size, if applicable

Note: For detail please see Rules 6 to 17 of the Legal Metrology (Packaged Commodities) Rules, 2011.

12. What are the requirements while purchasing the IMPORTED Items?

The followings are the compulsory declaration required on a packet which have been imported and available for sale:

- i. Name and complete address of the Manufacturer, Packer and / or importer of the packaged commodities.
- b. Net contents in terms of weight, volume or number.
- c. Date of manufacture/packing/import of the commodity (month and year).
- d. Maximum Retail Price (inclusive of all taxes).
- e. Generic name of the commodity.
- f. Customer Care Number with name, address, Telephone No. of the person/office which can be contacted in case of consumer complaints.
- g. Size, if applicable

Note: For detail please see Rules 6 to 17 of the Legal Metrology (Packaged Commodities) Rules, 2011.

13. What are the items on which the Packaged Commodities Rules, 2011 are not applicable?

1. The following are the items on which the PCR, 2011 are not applicable:-
The net weight or measure of the commodity is ten gram or ten milliliter or less, if sold by weight or measure.
2. Any package containing fast food items packed by restaurant or hotel and the like.
3. It contains scheduled formulations and non scheduled formulations covered under the Drugs (Price Control) Order, 1955, made under section 3 of the Essential Commodities Act, 1955 (10 of 1955)
4. Agricultural farm produces in packages of above 50 Kg.

Note: For details please see Rule 26 of the Legal Metrology (Packaged Commodities) Rules, 2011

14. Can a person sell or use unstamped weights or measures?

No, Weights or Measure shall be sold or offered, exposed or possessed for sale or used or kept for use in any transaction or for industrial production or protection unless it has been verified & stamped by inspector of W & M Department.

15. Is the licence issued under Weight & Measure Act transferable?

No, A licence issued or renewal under this Act is not saleable or otherwise transferable.

16. Is it necessary to display the certificate of verification?

It is necessary to display every certificate of verification granted under the Act at a conspicuous place in premises where such weights or measure is being, or is intended or likely to be, used in any transaction or for industrial production or for protection.

17. What is the penalty, if a person fails to get the weights or measure, verified or re-verified in due time?

Whoever, being required to present any weight or measure for verification or re-verification, omits or fails without any reasonable cause to do so, shall be punished with fine which may extend to five hundred rupees and such weight or measure can be seized on inspection.

18. Is the licence for manufacturers/repairers/dealers of any weights & measures compulsory under the Delhi Legal Metrology (Enforcement) Rules, 2011? If so, what are the fees for the licencees & requirements of the Department?

Yes, the form and guidelines are set out in Schedule IIA and necessary fee has been specified in Schedule IV which is available on the website of the department

19. How much shortage is allowed in domestic LPG cylinder?

As per the Legal Metrology (Packaged Commodities) Rules, 2011 a shortage of upto 150 gm is allowed in the domestic LPG cylinders with net contents of 14.2 kg.

18.4 WITH RELATION TO CERTIFICATE, NO OBJECTION CERTIFICATE ETC ISSUED BY THE PUBLIC AUTHORITY NOT INCLUDED IN MANUAL – 13

Name and Description of the certificates

Certificate of Verification : Issued in respect of Weights, Measures, Weighing and Measuring instruments stamped in the laboratory of the district office and on site visit.

Eligibility for applying : Any commercial users of Weights & Measures and licensed repairers can get their goods stamped / verified and get the certificate of verification issued thereof.

Contact Information for applying : The certificate of verification can be obtained from the district offices of this Department, depending upon the location of the business establishment.

Application Fee (Wherever applicable) : As per the Schedule attached to the Delhi Legal Metrology (Enforcement) Rules, 2011.

Application Form (In case the application is made on plain paper, please mention the details which the applicant has to provide)

The user can apply on the plain paper with the following details :

1. Name of the item.
2. Quantity.
3. Category.
4. Class.
5. Capacity – Maximum, Minimum.
6. Error value.
7. Machine Serial number (in case of electronic machines).
8. Fees paid and receipt no.

List of enclosures / documents :

1. Previous certificate of verification in case of re-verification.
2. Copy of the invoice in case of new goods.
3. Copy of fees receipt.

Procedure of application : Application containing details of Weights, Measures, Weighing & Measuring instruments are produced in the laboratory for physical verification by the inspectorate staff.

Process followed in the Public Authority after the receipt of application :

The Weights, Measures, Weighing and Measuring instruments are physically verified in the district laboratories and the documents are examined on the spot.

In case of site inspection, a visit is made on the site and goods are stamped / rejected, as the case may be after calibration on the site.

Normal time taken for issuance of certificate : Same day in case of verification of goods in laboratory and verification of tank lorries. In case of site inspection normal time taken is less than 15 days or before the expiry of the validity period.

Validity period of certificate (If applicable) : Between one to two years depending upon the category of Weights, Measures, Weighing and Measuring instruments.

Process of renewal (If any) : Renewal of certificate is not done after the expiry of its validity period. However, a new certificate is issued if the W & M items were found to be correct / accurate.

18.5 WITH RELATION TO REGISTRATION PROCESS

Objective: The registration of the packers / manufacturers / importers of the packaged commodities are done under the Rule 27 of the Legal Metrology (Packaged Commodities) Rule, 2011. The main objective of the registration is to put them on the list of the Weights & Measures Department so that the checking of the packages regarding net contents can be done regularly by the Department and the packages should checked in r/o the declarations as required under the Legal Metrology (Packaged Commodities) Rules, 2011.

Eligibility: All the manufacturers / packers / importers of the packaged commodities are eligible for the registration under Rule 27 of the Legal Metrology (Packaged Commodities) Rules 2011.

Pre-requisites: There is no pre-requisite condition for getting registration.

Contact information for applying: The application forms and information regarding the registration can be obtained from Office of the Controller of Weights & Measures Department. The forms are also available at the website of the Department at www.weights.delhigovt.nic.in.

Application fees : The application fees for registration under Rule 27 of Standards of Weights & Measures (Packaged Commodities) Rules is Rs. 500/- for the new registration. A fees of Rs. 100/- is payable for making any alteration / amendments in the registration certificate.

Other fees : The composition fees of Rs. 2000/- per director / partner in addition to the firm / company, is payable in r/o those firms / companies which are packing / manufacturing / importing the packaged commodities for more than 90 days, at the time of registration.

Application Form: The proforma for application forms is attached as Annexures.

List of enclosures / documents: Along with the application form the applicant has to attach a self addressed envelope of 12 cm X 25 cm size with Rs. 32/- stamp affixed on it. As on date no other document is required to be submitted.

Format of enclosures: Not applicable.

Procedure of application: The application for registration under Rule 27 should be submitted on the prescribed proforma alongwith the requisite fees and a self-addressed envelope, in O/o the Controller of Weights & Measures Department located at C-Block, Vikas Bhawan, I.P. Estate, New Delhi-110002 or concerned Zonal Office on any working day between 9.30 am to 6 p.m. If the application is complete in all respect, the registration certificate will be sent to the applicant by post by registered post at the place of their business / registered office.

Process followed in the Public Authority after the receipt of application: After the application is received in the O/o the Controller of Weights & Measures the same has been forwarded to concerned Zonal Office for checking of documents whether all is complete in all respects. If the application is complete in all respect, the application was forwarded with the recommendation of Zonal Officer to Asstt. Controller for according the approval/signature of Controller, Weights & Measures. The certificate is sent to the applicant by registered post.

Validity period of registration: Once a firm / company is registered, the registration of that firm / company is valid for the life of that firm / company.

Process of renewal: There is no need for the renewal of the registration as on date, as per the Standards of Weights & Measures (Packaged Commodities) Rules.

ANNEXURE

APPLICATION FOR REGISTRATION OF PACKERS / MANUFACTURERS

Under Rule 27 of the Legal Metrology (Packaged Commodities) Rules, 2011

1. Name of the applicant
(Firm/Company) _____

2. Complete address
(including district) _____

_____ PIN _____
District _____ .
3. Location of Factory. _____

District _____ PIN _____ .
4. Name of the commodity or
commodities pre-packed /
manufactured by the applicant.
 1. _____
 2. _____
 3. _____
 4. _____
 5. _____
5. Name and address of all the
Directors/ partners / proprietor
of the company / firm.
 1. _____
 2. _____
 3. _____
 4. _____

Date : _____ (SIGNATURE OF THE APPLICANT)
Place : _____ Fees receipt No. _____

ACKNOWLEDGEMENT

Received an application for registration under Rule 27 of the Legal Metrology (Packaged Commodities) Rules, 2011 from

r/o _____ dated _____ .
SIGNATURE

GUIDELINES

1. The application form together with cash of Rs. 500.00 in case of new registration and Rs. 100.00 in case of amendment in the registration certificate should be deposited at the Weights & Measures Department, Room No. 09, C-Block, Vikas Bhawan, New Delhi-110002. The fees can also be paid by a Demand Draft in favour of Controller, Weights & Measures Department, Govt. of NCT of Delhi.
2. Under the provisions of the Rules as they stand now, renewal of registration is not necessary.
3. In S. No. 1 of the proforma, name of the firm /company is to be mentioned.
4. In S. No. 2 the complete address at which the registered office of the company / firm is situated is to be mentioned including the name of the street, number assigned to the premises of the manufacturer / packer.
5. S. No. 3 is to be filled if factories or manufacturing / packing premises are located also at place or places other than the address, indicated at S. No. 2.
6. In case of a concern having more than one unit/factory the registration in respect of the registered office of the company / firm only is necessary.
7. The complete name and postal address of all the Directors, Partners / Proprietor of the Company / Firm should be given at S. No. 5.
8. For addition of any new pre-packaged commodities to be manufactured / packed in future the original certificate has to be submitted to the department along with the requisite fees for issue of revised certificate.
9. The applicant should fill up all the details in the acknowledgement slip.
10. A good quality self addressed envelope of size 12 cm X 25 cm with Rs. 32/- postage stamp duly affixed on it, should be submitted along with this form. The name of the firm should be mentioned on the envelope instead of name of the proprietor / partner / Directors.
11. The Certificate of registration will be sent to the applicant by registered post only. In no case it will be handed over to the applicant or his / her authorized representative.

APPLICATION FOR REGISTRATION OF IMPORTERS

Under Rule 27 of the Legal Metrology (Packaged Commodities) Rules, 2011

1. Name of the applicant
(Firm/Company) _____

2. Complete address
(including district) _____

_____ PIN _____
District _____ .

3. Addresses of warehouses
were the goods are imported and
kept. _____

District _____ PIN _____ .

4 Details of the packaged
commodities being imported /
to be imported along with the
country from where it is to be
imported

1. _____
2. _____
3. _____
4. _____
5. _____

5 Name and address of all the
Directors/ partners / proprietor
of the company / firm.

1. _____
2. _____
3. _____
4. _____

Date : (SIGNATURE OF THE APPLICANT)

Place : Fees receipt No. _____

ACKNOWLEDGEMENT

Received an application for registration under Rule 35 of the Standards of
Weights & Measures (Packaged Commodities) Rules, 1977 from

_____ dated
r/o _____
_____ .

SIGNATURE

GUIDELINES

1. The application form together with cash of Rs. 500.00 in case of new registration and Rs. 100.00 in case of amendment in the registration certificate should be deposited at the Weights & Measures Department, Room No. 09, C-Block, Vikas Bhawan, New Delhi-110002. The fees can also be paid by a Demand Draft in favour of Controller, Weights & Measures Department, Govt. of NCT of Delhi.
2. Under the provisions of the Rules as they stand now, renewal of registration is not necessary.
3. In S. No. 1 of the proforma, name of the firm /company is to be mentioned.
4. In S. No. 2 the complete address at which the registered office of the company / firm is situated is to be mentioned including the name of the street, number assigned to the premises of the importer.
5. S. No. 3 is to be filled if warehouses are located also at place or places other than the address, indicated at S. No. 2.
6. In case of a concern having more than one warehouses the registration in respect of the registered office of the company / firm only is necessary.
7. The complete name and postal address of all the Directors, Partners / Proprietor of the Company / Firm should be given at S. No. 5.
8. For addition of any new pre-packaged commodities to be importer in future the original certificate has to be submitted to the department along with the requisite fee for issue of revised certificate.
9. The applicant should fill up all the details in the acknowledgement slip.
10. A good quality self addressed envelope of size 12 cm X 25 cm with Rs. 32/- postage stamp duly affixed on it, should be submitted along with this form. The name of the firm should be mentioned on the envelope instead of name of the proprietor / partner / Directors.
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