

LEGAL METROLOGY

NOTIFICATION

Dated 3rd September, 2012

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In exercise of the powers conferred by sub-section (1), read with clause (c), (f), (h), (i) and (s) of sub-section (2) of section 52 of the Legal Metrology Act, 2009 (1 of 2010), the Central Government hereby makes the following rules to amend the Legal Metrology (General) Rules, 2011, namely:

(1) These rules may be called as the **Legal Metrology (General) Amendment Rules, 2012**.

(2) They shall come into force on the date of their publication in the Official Gazette.

1 In the Legal Metrology (General) Rules, 2011 (hereinafter referred to as the principal rules), in rule 15, in sub-rules (3) and (7), for the words “a reasonable opportunity”, the words “one month notice” shall be substituted.

2 In the principal rules, in rule 16, in sub-rules (4) and (5), for the words “a reasonable opportunity”, the words “one month notice” shall be substituted.

3 In the principal rules, in sub-rule (3) of rule 19, and in sub-rule (4) of rule 20, for the words ‘well in time’, the words “within ten working days of the submission of the sample for verification” shall be substituted.

5. In the principal rules, in rule 20, in sub-rule (3), for item, (ii), the following shall be substituted, namely:

“(ii) where such non-standard weight or measure is similar to any standard weight or measure, the fee for verification of such weight or measure shall be the same as specified for the similar standard weight or measure, but if the weight or measurement of such non-standard weight or measure is in between two standard weights or measures, the fee will be equivalent to the higher standard weight or measure.”

4 In the principal rules, after rule 21, the following rule shall be inserted, namely:

“21A. Conditions, etc. for manufacture of a non-standard weight or measure exclusively for scientific investigation or research

(1) The provisions of this rule shall apply to weights or measures which are made or manufactured exclusively for the purpose of scientific investigation or research.

(2) No non-standard weight or measure shall be made or manufactured by any person unless he has obtained the previous permission from the Central Government.

(3) Every person intending to manufacture any non-standard weight or measure for the purpose of scientific investigation or research shall make an application for permission to the Central Government on payment of a fee of rupees five hundred for such permission authorising him to manufacture such weight or measure and shall in such application indicate

(a) his name and full address;

(b) location of the factory in which such weight or measure is proposed to be manufactured;

(c) description of weight or measure proposed to be manufactured;

(d) documentary or other evidence indicating the existence of a firm contract for the scientific investigation or research aforesaid or where there is no such firm contract for scientific investigation or research, documentary or other evidence indicating that there is likely to be a demand for the scientific investigation or research of non-standard weight or measure.

(4) The Central Government shall, if it is satisfied from the documentary or other evidence produced by the applicant or otherwise, that the applicant intends to manufacture non-standard weight or measure for scientific investigation or research, grant the permission authorising him to manufacture such weight or measure:

Provided that the Central Government may, if it is satisfied that the applicant has contravened any of terms and conditions of the permission or that weights or measures manufactured by the applicant have found their way into the Indian market or that the applicant had made any statement in his application for the permission which is false in material particulars or he had concealed some material particulars, cancel the permission:

Provided further that no permission shall be cancelled except after giving to the applicant one month's notice of showing cause against the proposed action.

(5) Every permission granted under sub-rule (4) shall remain valid for a period of one year and shall be renewed for a like period on payment of a like fee:

Provided that no order for the refusal to renew a licence shall be made by the Central Government except after giving the applicant one month's notice of showing cause against the proposed action.

(6) Every person who is granted permission under this rule shall submit to the Central Government, at the end of the calendar year, a statement as to the quantity of the non-standard weights and measures sold by him and the particulars of the person to whom such sale has been made."

7. In the principal rules, in rule 23, for the words, "a reasonable opportunity" the words "an opportunity" shall be substituted.

Sd/-
(Manoj Parida)
Jt. Secy.

G.S.R.668(E)

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Note: The principal rules were published in Gazette of India, Part II, Section 3(i), dated the 7th February, 2011, *vide* G.S.R.71(E).