

**GOVERNMENT OF ANDHRA PRADESH
OFFICE OF THE CONTROLLER, LEGAL METROLOGY, VIJAYAWADA**

Cir. Memo No.659/T/2015

Dated: 25-01-2018

Sub: Technical - Department of Legal Metrology - Verification and Stamping of New Articles (New Weighing and Measuring Instruments) - Certain comprehensive instructions /guidelines issued, in exercise of the powers vested with the Controller under Rule 30 r/w Rule 2(g) of A.P. Legal Metrology Enforcement Rules 2011 - Regarding.

Ref: 1. Cir.Memo.No.2936/T1/2012 dt 3-07-2012 of the CLM, AP.
2. Cir.Memo.659/T/2015 dt 03-04-2015 of the CLM, AP.
3. Guidelines of Director of Legal Metrology, New Delhi vide Lr. No. WM-9(32)/2015, dated 22-5-2015
4. Review meeting of Controller, Legal Metrology, Vijayawada on 16-11-2017 with Manufacturers/Dealers/Officers of Legal Metrology.

Whereas, several instances have come to the notice of the Department that many of the licenced manufacturers, after manufacturing the new articles (weights and measures) particularly the weighing & measuring instruments, either selling the same to the licenced dealer or selling the same directly to the end user, without themselves possessing a valid dealing licence and also without duly getting the said weighing and measuring instruments initially verified and stamped by the concerned Dist. Inspector, thereby violating the provisions laid down under sec. 23 r/w sec. 2(b) and sec. 33 of Legal Metrology Act, 2009, and also causing significant leakage of revenue to the Government

Further, it has also come to the notice of the undersigned that the Licenced Dealers after purchasing the weighing and measuring instruments, which are manufactured and stamped in the States other than the State of A.P. and the Dealers in turn, are selling the same to end users / traders, without getting the same, duly re-verified and stamped in the State of A.P., even though the validity the stamp, which is done in the State of Manufacturers other than A.P, becomes null and void, as per Rule 20 of A.P.L.M. (enforcement) Rules, 2011 and again causing leakage of revenue to the Government exchequer.

And it is also noticed that, many of the manufacturers of the weighing and measuring instruments are allotting serial /machine numbers to their manufactured weighing instruments without any rationality making it difficult for authorities to ascertain the exact number of weighing instruments that are manufactured by the manufacturers of the State.

Keeping the above in view, the Controller, Legal Metrology convened a meeting with the representatives of the Manufacturers and Dealers and with all the Asst. Controllers, Deputy Controllers and certain Dist. Inspectors on 16-11-2017 at Vijayawada to know the actual problems that are being faced by the Manufacturers and Dealers in implementation of the provisions of the Legal Metrology Act and Enforcement Rules strictly so as to avoid any chance of leakage of Revenue in this regard.

After having examined and considered the deliberations and discussions, as above, to redress the issues /problems of the Manufacturers and Dealers, for implementation of the provisions of L.M. Act and Enforcement Rules and to avoid any chance of leakage of revenue, in this regard and also to bring about uniform procedure and transparency, in this regard, the following instructions/guidelines are issued, to all the stake holders, in exercise of the powers vested with the Controller under Rule 30 r/w Rule 2(g) of A.P. Legal Metrology Enforcement Rules 2011, keeping in view of the related provisions of LM Act and Enforcement Rules and also that of the guidelines issued by the Director, L.M., New Delhi under 13(8) of L.M. Act 2009, vide reference 3rd cited.

1. The Manufacturers, after manufacturing the Weights & Measures, particularly the weighing and measuring instruments shall assign/ allot serial number (Machine No.) to each and every weighing instrument manufactured by them in the following pattern, and invariably mark the same on the descriptive marking plate which shall be fixed to each and every weighing instrument manufactured by each manufacturer for the sake of identification and all the manufacturers shall adopt this procedure invariably from 01-01-2018 onwards.

1:2:3:4:5

1. AP (name of the state)
2. **Brand Name of the firm** (first Five/six letters of the Brand name)
3. Year of manufacturer (last two digits of the year of manufacture)
4. Series of the machine
5. Serial Number of the machine irrespective of capacity and Series. (Continuous serial number for each machine Manufactured)

Example: for the manufacturer firm named say MICRON
Serial Number be given as AP-MICRON18CLXXXX

2. The Manufacturers, after following the procedure as mentioned in point No.1, shall update the register to be maintained in the prescribed proforma under Form- LM-4 of Schedule VII A of Rule 13 of Enforcement Rules 2011, by making date wise entries, with regard to the quantity of the weighing instruments that are manufactured during the month, date wise with serial number of the machines to be mentioned in column No. 4 of the said register and they shall to submit periodical reports and returns in Form LM-5 of Schedule VII B of Rule 13, once in every three months

3. The Manufacturers, after following the procedure as mentioned in point No.2, before selling all the weighing and measuring instruments, upto the maximum capacity of 50kg. irrespective of accuracy class, if they are not required to be dismantled and calibrated at the place of its use, shall have to get them verified and stamped by the concerned Dist. Inspector in order to comply with the provisions laid down under Sec. 33 of L.M. Act 2009.

4. The Manufacturers, shall, after having manufactured the weights and measures in the foregoing manner, present the same along with the requisition forms of indent, which are serially numbered, to the concerned Dist. Inspector, three days in advance, requesting to attend the Verification and stamping of the New weighing and measuring instruments that are manufactured by them during such period, with details of No. of weighing and measuring instruments with serial number, capacity, e-value, accuracy class and also along with the details of demand draft or Treasury Challan for the amount that is paid towards the verification and stamping fee for the total No. of weighing and measuring instruments that are presented/produced before the concerned Dist. Inspector for verification. The Manufacturers / Dealers shall, at any point of time maintain/use only one Book containing the serially numbered requisition forms for verification, after exhausting the same only the next book will be put into use. The Dist. Inspectors shall also ensure that the new articles that are presented to them for verification, are in serial order.

5. The Dist. Inspector, L.M. concerned shall stamp each and every Weight or Measures (weighing and measuring instruments), if after verification, he satisfied that such weight or measure (weighing and measuring instruments) conforms to the standards established by or under the Act, with a stamp and issue a **separate** Verification Certificate for each weighing or measuring instruments, duly mentioning the machine number.
6. The Dist. Inspectors, before undertaking the initial verification and stamping of the New articles which are presented to them for doing so, shall ensure that the descriptive marking plate, containing the mandatory information including the serial / machine number which would be the crucial for the purpose of identification of the weighing / measuring instruments, is affixed to the weighing or measuring instruments as if it is an integral part of the same, as without this, it would not be a standard weight or measure.
7. The Dist. Inspectors are instructed to take due care, while sealing the weighing or measuring instruments, after verification by passing the sealing wire through one of the holes of the descriptive marking plate, in such a way that unless the sealing system is tampered, the same cannot be removed /taken away.
8. The Manufacturers, after duly getting the weight or measure (weighing and measuring instruments) verified and stamped, shall sell to the Licenced Dealers by issuing a bill with the details of serial number of the weighing instrument, capacity, accuracy class, e-value etc. alongwith the original Verification Certificate that was issued to that particular weighing instrument and the Dealers while selling the particular weighing instrument to the end user /trader, shall also give the original V.C. of that weighing instrument to the trader.
9. No Manufacturer without himself having a valid dealing licence shall sell any weight or measure directly to the user/trader, eventhough the same is manufactured by himself, and also is required to be dismantled and installed at the place of its use.

10. With a view to avoid tax evasion to the Govt., it shall be insisted/ensured that for the sale of new articles, like weigh bridges etc., the bill/invoice shall be issued for the complete entity of the weighing or measuring instrument, which includes load cells and other parts of the bottom work etc., along with the indicator/digitizer, as the indicator/digitizer alone shall not be conformed to the standards established by or under the Legal Metrology Act 2009 and Rules made there under. However, the indicator/digitizer will be construed only as a spare part but not as a complete entity of any weighing or measuring instrument.
11. The Dealer, shall sell any weight or measure by issuing a proper bill/invoice by mentioning the details as to the serial number of the weighing instrument, capacity, accuracy class, e-value, Manufacturers Brand Name, alongwith the Verification Certificate No. and Date. They shall also maintain the registers prescribed under Form LD-4 of Schedule VII A of Rule 13 and they shall also require to submit periodical reports and returns in Form LD-5 of Schedule VII B of Rule 13, once in every three months.
12. The Dealers, who purchase the weight or measure, which are not required to be dismantled and installed at the place of its use and which are manufactured and stamped in the States other than the State of Andhra Pradesh, before selling the same to the end user/trader, shall have to get it re-verified and stamped by the concerned local ILM, as the validity of the stamp ceases to be in force, in terms of Rule 20 of Enforcement Rules 2011.
13. With regard to all weighing and measuring instruments, having a maximum capacity of more than 50kg irrespective of accuracy class and also all the weighing and measuring instruments, irrespective of accuracy class and max. capacity, which are required to be installed, as a complete weight or measure, (for eg. Weighbridges, gravimetric filling machines, discontinuous totalizers, bulk meter, CNG/LPC dispensers etc.) at the place of its use, the Manufacturer, who causes to sell the same through the dealer, shall have to ensure the initial verification and stamping of the same by local Dist. Inspector, at the place of its installation before putting the same into use, in terms of Sec. 33 of LM Act 2009.
14. If any weight or measure manufactured by the Licensed Manufacturer is found either with the trader or with the dealer without valid stamp and verification certificate, action will be initiated against the concerned License holder/user according to Rules in force.

15. Whenever, any weighing or measuring instrument, which is whether required to be installed in the place of its use or not which is manufactured in any state other than AP, is sold/supplied/delivered directly to the user in A.P., the copy of such invoice shall be submitted to the Controller L.M. A.P. and to the Dist. Inspector, concerned. The Dist. Inspector, concerned, before taking up the verification of the same, shall ensure that such invoice is submitted to the Controller, L.M., A.P. and each such dealer (of other States) shall also submit monthly reports as to the total number of new articles sold to the state of A.P. during the month to the Controller, L.M. AP. for the purpose of consolidation and reconciliation of the same.

The above circular instructions/ proceedings shall come into force with immediate effect and shall be implemented scrupulously, in true letter and spirit and any failure/derelection in this regard will be viewed seriously and action will be initiated accordingly. Any circular instructions issued earlier in this regard stand rescinded.

Sd/- E. Damodar
Controller
Legal Metrology, Vijayawada.

To

The Regional Deputy Controllers/ Assistant Controller in the State- with instructions to communicate the same to all the Licensed Manufacturers and Dealers in their respective jurisdictions and obtain the acknowledgement in token of the receipt of the same and also display the same in the notice board of their respective offices and also disseminate/guide/counsel them by conducting meeting and report compliance.

All District Inspectors/ Inspectors of the State with a direction to verify and stamp the weighing and measuring instruments in strict compliance of above instructions, while doing the verification & Stamping of the same.
(Through the Asst. Controllers, L.M. concerned)

Copy to CLM (Peshi)

// Attested //



Asst. Controller (Enforcement)