

Andhra Pradesh Legal Metrology (Enforcement) Rules 2011

- 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 in whose jurisdiction it put into use 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 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 Legal Metrology Officer.

(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 arrangements for the purpose.

(6) A Legal Metrology Officer may visit, as frequently as possible, every premises within the local limits of his jurisdiction to inspect and test any pre-packaged commodity, weight or measure which is being or is intended or likely to be used in any transaction or for protection. For the purpose of verification or inspection the Legal Metrology Officer may use test weight / measures or working standard weights / working standard measures.

(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 seven 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.

(8) The Certificate of Approval of Model issued by the Central Government shall be produced to the Legal Metrology Officer by the manufacturer or importer as the case may be, before verification. The user of the weights and measures shall keep a copy of such Certificate of Approval of Model. The Legal Metrology Officer shall incorporate the number of such Certificate of Approval of Model in the Verification Certificate.

(9) Where the Controller is of opinion that it is necessary so to do, he may, by an order in writing authorize any Legal Metrology Officer to adjust any weight or measure in any area within the local limits of his jurisdiction.

16. Stamping of weights or measures – (1) The Legal Metrology Officer shall stamp every weight or measure, if after 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**.

In case of new weight or measure, a word 'NEW' shall be inscribed on the Verification Certificate in RED ink.

(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 concerned, 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 *fifty*.

(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) Fee 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**.

The fee payable for verification and stamping of any NEW weight or measure shall be at the rate specified in the **Schedule IX** plus an additional fee of **twenty five percent** of the fee aforesaid.

(2) If verification is done at any premises other than, the office of the Legal Metrology Officer including his camp office, 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 Standards 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 weighbridges, *dormant* 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 is found to be incorrect shall be returned to the person concerned for adjustment informing him, in a proforma specified by the Controller, of the defects found in the weight or measure, and calling upon him to remove the defects within a period not exceeding seven days. When the necessary adjustment has been carried out, such weight or measure shall be verified on payment of the fees specified in **Schedule IX** and if found correct shall be stamped.