
Delhi Standards of Weights and Measures (Enforcement) Rules, 1987

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**Delhi Standards of Weights and Measures (Enforcement)
Rules, 1987**

Delhi Standards of Weights and Measures (Enforcement) Rules, 1987

1. Short title and commencement :-

(1) These rules may be called the Delhi Standards of Weights and Measures (Enforcement) Rules, 1987.

(2) They extend to the whole of the Union Territory of Delhi.

(3) They shall come into force on such date as the Administrator may by notification in the Delhi Gazette appoint and different dates may be appointed for

(a) different provisions of these rules; or

(b) different areas; or

(c) different classes of activities.

2. Definitions :-

In these rules, unless the context otherwise requires,

- (a) 'Act' means the Standard of Weights and Measures (Enforcement) Act, 1985.
- (b) 'Reference Standard Laboratory' means a Laboratory set up by the Central Government under the Standards Act where reference standards and secondary standards are maintained;
- (c) 'Schedule' means a Schedule appended to these rules;
- (d) 'Standards Act' means the Standards of Weights and Measures Act, 1976.
- (e) Words and expressions used in these rules and not defined but defined in the Act and the Standards Act shall have the meanings respectively assigned to them in those Acts.

3. Reference Standards :-

The reference standards shall be kept at such place, in such manner and in such custody as may be prescribed under Standards Act.

4. Secondary Standards :-

- (1) Every secondary standards shall be verified at any of the Reference Standard laboratories, in such manner and at such periodical intervals as may be prescribed under the Standards 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 Standard Laboratory.
- (2) The verified 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 Standard Laboratories or at any of the places where secondary standards are maintained by the Administrator, in such manner and at such periodical intervants as may be prescribed under the Standards Act and shall, if found on such verification conform to the Standards established by or under that Act, be stamped as the case may be, by the laboratory - in-charge of the Reference Standard Laboratories or by the Controller or such other officer as may be authorised by the Controller in this behalf.

(2) The verified working standards shall be kept in the custody of Inspectors.

6. Secondary Standard Balances :-

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

(2) The number, types and specifications of such balances shall be such as may be prescribed under the Standards Act.

(3) Every secondary standard balance shall be verified at least once a year and shall be adjusted, if necessary, to make it correct within the limits of sensitivity and other neurological qualities prescribed under the Standards Act, by the laboratory-in-charge of the Reference Standard Laboratory or by the Controller in this behalf

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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 Standards Act.

(3) Every working standard balance shall be verified at least once a year and shall be adjusted, if necessary, to make it correct within the limits of sensitivity and other neurological qualities prescribed under the Standards Act, by the laboratory-in-charge of the Reference Standard Laboratory or by the Controller or such other officer as may be authorised by the Controller in this behalf.

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 industrial production or for protection shall conform as regards physical characteristics, configuration, constructional details, materials, performance, tolerances and such other details, to the specifications prescribed under the Standards Act.

9. Use of Bullion Weights, Carat Weights Etc :-

(1) No weight other than a bullion weight shall be used in any transaction in bullion including precious metals, pearls and

ornaments and other articles made of gold or silver.

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

(3) No balance or weighing instrument other than a balance or weighing instrument of accuracy class 'B' or Class II or higher accuracy shall be used in any transaction referred to, in sub-rules (1) and (2).

10. Registration of users of weights and measures :-

(1) Every person (other than an itinerant vendor) who intends to commence, or carry on, the use of any weights or measures in any transaction or for industrial production or for protection, shall make an application in Form A-1 of Schedule I, accompanied by a fee of rupees five, to the Controller or such other officer as controller may, be general or special order in writing authorise in this behalf, for registration of his name; and every such application shall be made

(i) In the case of an applicant using any weight or measure at the commencement of these rules, within ninety days from such commencements, or

(ii) in the case of an applicant who commences use of any weight or measure after the commencement of these, within ninety days from the date on which he commences such use.

(2) The Controller or the officer authorised by him shall include the name of the applicant in a register, to be known as Register of Users and issue to him a certificate in Form A-3 of Schedule II.

(3) The Register of Users referred to in sub-rule (2) shall be maintained in the form set out in Schedule III.

(4) The certificate referred to in sub-rule (2) shall be valid for five years and may be renewed on payment of a fee of rupees five.

(5) An application for renewal shall be made in Form A-2 of Schedule I, thirty days before the expiry of validity of the registration certificate.

(6) Where a certificate of registration is lost or destroyed, the holder of the certificate shall forthwith apply to the Authority who had issued the certificate, for the issue of a duplicate certificate of registration. Every such application for the issue of duplicate certificate shall be accompanied by a fee of Rs. 2/-.

(7) If a person, who intends to discontinue the use of weights or measure for which he has been registered desires to get his name deleted from the Register of users, he shall surrender the certificate of registration to the Controller or such other officer as may be authorised by him in this behalf.

(8) If a user intends to sell any weight or measures specified in Schedule II-A he shall obtain a written permission of the controller or such other officer as may be authorised by him in this behalf.

11. Use of weights only or measures only or number only in certain cases :-

Except in the cases of commodities specified in Schedule IV, the declaration of quantity in every transaction, dealing or contract, or for industrial production or for protection shall be in terms of the unit of

(a) Weights, 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 measures;

(d) Volume, if the commodity is liquid or is sold by cubic measure;
or

(e) Number, if the commodity is sold by number.

12. Licensing of manufactures, repairers and dealers 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 or such other Officer as may be authorised by him in this behalf, in the appropriate form set out in Schedule V-A.

(2) Every manufacture or repairer of, or dealer in, Weights 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 or such other officer as may be authorised by him in this behalf, in the appropriate form set out in Schedule V-B.

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

(4) Every licence issued to a manufacturer, repairer of dealer shall

be valid for a period of one calendar year, and may be renewed for year to year by the Controller or such other officer as may be authorised by him in this behalf.

(5) The fees payable for the licence referred to in sub-rule (2) and for its renewal shall be as specified in Schedule VII:

Provided that an additional fee at half the rates specified in Schedule VII shall be payable by the applicant if he is permitted by the Controller to make the application for the renewal of a licence within a period of one month from the date of expiry of the period of validity of the licence.

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

(7) Every repairer licensed under the Act and these rules shall:

(a) be required to maintain such equipment and tools, as the Controller may direct; and

(b) furnish to the Administrator a security deposit for each licence as specified in Schedule IX.

(c) the weights or measures seized by the Controller or any other officer authorised by him in writing. In this behalf, under sub-section (5) of section 20 of the Act, shall be sold and proceeds thereto credited to the Government.

13. Records to be maintained by manufacturers, etc :-

(1) Every manufacturer or repairer of, or dealer in weights or measure licensed under the Act and these rules shall maintain a register in the appropriate form set out in Schedule X.

(2) Every person using any weight or measure in any transaction or for industrial production or for protection shall maintain such records and registers as the Controller may direct.

14. Periodical interval for the verification of weights or measures :-

(1) Every weights or measure used or intended to be used in any transaction or for industrial production shall be verified or reverified and stamped at least once in a year. Provided that storage tanks, including vats shall be re-verified or recalibrated and stamped at

least once in a period of five years.

(2) Notwithstanding anything contained in sub-rule (1) every weights 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 payment of the prescribed fee, before being put into use.

(3) 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 payment of the prescribed fee, 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 industrial production or for protection shall present such weights or measure for verification at the office of the Inspector or at such other place as the Inspector 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 Inspector at least thirty days in advance 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, the Inspector 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 required by the Inspector.

(4) Every weights or measures presented for verification shall be complete in itself and shall not bear a manufacture's mark which might be mistaken for the Inspector stamp.

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

(6) Where a weight or measure is brought to the Inspector for verification or re- verification, he may verify the same after

realisation of the prescribed fee.

(7) An Inspector shall visit, frequently as possible during the period specified in sub- rule (1) of rule 14, every premises within the local limits of his jurisdiction to inspect and test any weight of measure which is being, or is intended or likely to be, used in any transaction or for industrial production or for protection.

16. Stamping of weights or measures :-

(1) The Inspector 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 Standards Act, with a stamp of uniform design, issued by the Controller, which shall indicate the number allotted for administrative purpose to the Inspector by whom it is stamped:

Provided that if by reason of the size or nature of any weights or measure it is not desirable or practicable to put a stamp thereon, the Inspector shall take such action as may be directed by the Controller, by a general or a special order in writing.

(2) The Inspector 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; second quarter shall be of the months of April, May and June; third quarter shall be of the months of July, August and September; and fourth quarter shall be of the months of October, November and December.

(3) On completion of verification and stamping the Inspector shall, issue a certificate of verification in the form set out in Schedule XL

(4) Where a certificate of verification is lost or destroyed, the holder of the certificate of verification shall forthwith apply to the Inspector 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 five.

(5) On receipt of an application under sub-rule (4) the Inspector shall issue to the applicant a duplicate copy of the Certificate of Verification marked "DUPLICATE".

17. Fee for verification and stamping :-

(1) Fees payable for verification and stamping of weight or measure at the office or camp office of the Inspector shall be as specified in Schedule XII.

(2) If, at the request of the user of weights or measure, verification is done at any premises other than the office or camp office of the Inspector, an additional fee shall be charged at half the rates specified in Schedule XII and the user of the weight or measure shall also pay the expenses incurred by the Inspector for visiting the premises including the cost of transporting and handling the working standard and other equipment subject to a minimum of rupees ten: Provided that no additional fee shall be charged for verification and stamping in-situ of:

(a) vehicle tanks, dispensing pumps, weigh bridges, dormant platform machines and such other weight or measure which cannot, and should not be moved from its location; and

(b) weights and measures in the premises of a manufacturer of such weights and measures.

(3) If a weight or measure is presented to the Inspector for re-verification after expiry of the validity of the stamp and additional fee at half the rates specified in Schedule XII shall be payable for every quarter of the year or part thereof.

(4) No fee shall be payable for re-stamping any weight or measure held in stock with manufacturer or dealer with the period specified in rule 11 from the date on which it was last stamped, provided that the original stamp was not obliterated under sub-section (3) of section 28 of the Act.

(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 form specified by the Controller, of the defects found in the weights 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 fifty percent of the fee specified in Schedule XII 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 Inspector shall inform the person concerned of the fees payable by him under these rules and shall receive the same and issue a receipt in the form approved by the Controller, one copy of such receipt being kept in record:

Provided that fees payable by a department of the Central or State Government under these rules may be realised in such manner as may be directed by the Controller.

(2) The Inspector 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 payments received by the Inspector during the week shall be paid into the Government Treasury under the appropriate "Head of Account" on such dates as 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 authorised by him in this behalf.

19. Disposal of seized weights, measures, etc :-

(1) Any weight of measure or document or things seized and detained under section 30 or 31 of the Act, which is not to be subject of proceedings in a Court shall, after the expiry of sixty days of its seizure, be so dealt with as the Controller may by general or special order direct, and the materials thereof shall be sold and the proceeds credited to the Government:

Provided that the Controller may direct that unverified weight or measure shall be returned to the person from whom such weight or measure was seized if, that person gets the same verified and stamped, within ten days of the return, on payment of the prescribed fee including the additional fee payable for under-taking re-verification after the expiry of the validity of the stamp

(2) Any weight or measure or document or thing seized and detained under section 30 or 31 of the Act, which is to be the subject of proceedings in a Court, shall be produced by the Inspector before the Court shall, after conclusion of the proceedings, be taken possession of by the Inspector and dealt with in accordance with the orders of the Court:

Provided that in the absence of the orders of the court, weight or

measure or document or things shall be dealt with as the Controller may be special order direct and the materials there of shall be sold and the proceed carried to the Government.

(3) If any goods, seized under section 30 or 31 of the Act, are subject to speedy or natural decay, the Inspector shall have the goods weighed or measured on a verified weighting or measuring instrument available with him or near the place of offence and enter the actual weight or measure of the goods in a form specified by the Controller for this purpose, 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 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 Inspector 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.

(4) Where the goods seized under sub-section (1) of section 29 of the Standards Act are contained in a package and the package is false or does not conform to the provisions of the Act or any rule made thereunder and the goods in such package are subject to speedy or natural decay, the Inspector so far as may be, may dispose of the goods in such package in accordance with the provisions of sub-rule (3).

(5) Where the goods seized under sub-section (1) are not subject to speedy or natural decay, the Inspector 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.

20. Qualification of Inspectors :-

(1) No person shall be appointed as inspector unless he (a) is a graduate of recognised University; (b) is able to speak, read and write at least one of the regional Language of the State;

(2) Nothing in sub-rule (1) shall apply to person who have been working as Inspector or are eligible for promotion as Inspectors before the commencement of these rules.

(3) The persons appointed to the post of Inspector shall have to complete the basic training course at the Indian Institute of Legal

Metrology established by the Central Government under section 76 of the Standards Act before he is considered for confirmation to the post.

21. Provision of working standards, equipment etc., to the Inspector :-

(1) Every Inspector shall be provided with working standards, working standards balances, and such other equipment including weighing and measuring devices as may be approved by the Controller from time to time.

(2) Every Inspector shall be provided with such dies, punches 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 Inspector shall be provided with punches of suitable sizes of eight-pointed star as shown below for obliterating stamps

22. Provisions relating to use of weights, measures 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.

(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 authorised by him in this behalf.

(4) The user of a weighing instrument of the capacity of five hundred kilogram or above, shall provide such number of duly verified and stamped weights not exceeding one fourth of the capacity of the instrument as may be required by the Inspector for the purpose of its verification, re-verification or inspection.

(5) 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 tone whichever is less:

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 is more than one.

23. 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 vender, the certificate shall be kept on his person

.

24. Penalty for contravention of rules :-

Whoever contravenes any provisions 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 one thousand rupees.

25. Form of appeal :-

(1) Every appeal under the Act and these rules shall be preferred in the form set out in Schedule XIII, and shall be accompanied by a copy of the order appealed against.

(2) A court fee liable of Rupees Two shall be affixed on the appeal petition.

SCHEDULE 1

SCHEDULE1

FORM A-1	
Application for Registration of Users	
(This application should be accompanied by a fee of Rs. 5)	
To	
	Place :
	Dated:
Sir,	
I / We would like to register my/our name in the register of Users of Weights and Measures as required under sections 16, 17 and 18 of the Standards of Weights and Measures (Enforcement) Act, 1985 and rules made thereunder.	

I/We am/are furnishing the particulars as required under the Rules alongwith the prescribed fee of Rs. 51- (Rupees Five only).

1. Name of the Person/Company/Firm:
2. Complete Address:
3. Branches, if any, with their complete address and registration number.
4. Name (s) and address(es) proprietor(s) and/or partners and managing director(s) in the case of limited company:
5. Nature of business carried on:
6. Details (denomination/type, quantity) of weights, measures weighting and measuring instruments used.

Signature

*Strike out whichever is not applicable.

FORM A-1

Application for Renewal of Registration of Users

(This application should be accompanied by a fee of Rs. 5)

To

Place :

Dated:

Sir,

I/We request you to renew my /our Registration No dated due for renewal with effect from for a further period of 5 years. I/We afn are furnishing the particulars as required under the rules along with the prescribed fee of Rs. 5/- (Rupees Five only).

1. Name of the Person/Company/Firm:
2. Complete Address:
3. Branches, if any, with their complete address and registration number.
4. Name (s) and address(es) proprietor(s) and/or partners and managing director(s) in the case of limited company:
5. Nature of business carried on:
6. Details (denomination/type, quantity) of weights, measures weighting and measuring instruments used.

Signature

*Strike out whichever is not applicable

[See Rule 10(2)]