

**Bombay Weights And Measures (Enforcement) (Gujarat  
Amendment) Act, 1965**

**41 of 1965**

**[31 December 1965]**

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An Act further to amend the Bombay Weights and Measures (Enforcement) Act, 1958. It is hereby enacted in the Sixteenth Year of the Republic of India as follows:-

**1. Short Title :-**

This Act may be called the Bombay Weights and Measures (Enforcement) (Gujarat Amendment) Act, 1965.

**2. Insertion Of New Section 40A In Bom. Lxix Of 1958 :-**

In the Bombay Weights and Measures (Enforcement) Act, 1958 (Bom. LXIX of 1958) after section 40 the following new section shall be inserted, namely:-

"40-A. Presumption as to certain facts in certain cases.--

(1) Where in a trial of an offence under section 29, it is proved that the weight or measure or weighing or measuring instrument in respect of which the offence is alleged to have been committed by an accused person was false and was used by the accused person, the Court shall presume, until the contrary is proved, that the accused person knew that the weight or measure or, as the case may be, the weighing or measuring instrument was false and that he used the same fraudulently.

(2) Where in a trial of an offence under section 30, it is proved that the weight or measure or weighing or measuring instrument in respect of which the offence is alleged to have been committed by the accused person was false and was in the possession of the accused person the court shall presume, until the contrary is proved, that the accused person knew that the weight or measure or, as the case may be, the weighing or measuring instrument was false and that he intended to use the same fraudulently."