

GOVERNMENT OF KARNATAKA

No. FCS 15 EBT 2020(e-office)

Karnataka Government Secretariat,
Vikasa Soudha,
Bengaluru, Dated: 03.12.2022.**NOTIFICATION**

Whereas the draft of the following rules further to amend The Karnataka Legal Metrology (Enforcement) Rules 2011 was published as required by sub-section 4 of section 53 of the Legal Metrology Act 2009(Central Act 1 of 2010) in Notification no: FCS 15 EBT 2020(e-office), dated 08.06.2021 in part IV-A of the Karnataka Gazette inviting objections and suggestions from all persons likely to be affected thereby within thirty days from the date of publication in the official gazette.

And whereas the said Gazette was made available to the public on 10.06.2021.

And whereas, the objections and suggestions received have been considered by the State Government.

Now, therefore, in exercise of the powers conferred under section 53 of the Legal Metrology Act 2009(Central Act 1 of 2010), and after consultation with the Central Government, the Government of Karnataka hereby makes the following Rules, namely:-

RULES**1. Title and commencement:**

1. These rules may be called the Karnataka Legal Metrology (Enforcement) (Amendment) Rules, 2021.
2. They shall come into force from the First day of January 2023.

2. (i) In rule 3, in sub-rule (1) the following proviso after the existing proviso shall be inserted, namely:

Provided further that no person shall be granted a repairing license unless such person possesses such educational qualification/technical competency, and such other conditions as may be specified by the Controller from time to time.

3. (ii) In rule 3 of the said rules, for the sub-rule (4), the following shall be substituted, namely: -

Every license issued to a Manufacturer, Dealer and Repairer shall be valid for a period of two calendar years and may be renewed for a period every two calendar years, by the Controller or such other officer as may be authorized by him in this behalf on payment of fee as specified in the schedule IV.

4. In rule 3 of the said rules after the sub rule 12 a new sub-rule 13 shall be inserted as follows;

Suspension and cancellation of licence granted:

(1) The Controller or such other officer authorized by him on his behalf may, if he has any reasonable cause to believe that the holder of any licence issued, renewed or continued under this Act has made any statement in, or in relation to, any application for the issue, renewal or continuance of the licence, which is incorrect or false in any material particular or has contravened any provision of the Act or any rule or order made thereunder, suspend such licence, pending the completion of any inquiry against the holder of such licence:

PROVIDED that no such licence shall be suspended unless the holder thereof has been given a reasonable opportunity of showing cause against the proposed action:

PROVIDED FURTHER that where the inquiry referred to in this sub-section is not completed within a period of three months from the date of suspension of a licence, such suspension shall, on the expiry of the period aforesaid, stand vacated.

(2) The Controller or such other officer authorized by him on behalf may, if he is satisfied, after making such enquiry as he may think fit, that the holder of a licence has made a false or incorrect statement of the nature referred to in sub-rule (1), or has contravened any law or order referred to in that sub-section, cancel such licence:

PROVIDED that no such licence shall be cancelled unless the holder thereof has been given a reasonable opportunity of showing cause against the proposed action.

(3) Every person whose licence has been suspended shall, immediately after such suspension, stop functioning as such licensee and shall not resume business as such licensee until the order of such suspension has been, or stands, vacated.

(4) Every licensee whose licence has been suspended or cancelled shall, after such suspension or cancellation, as the case may be, surrender such licence to the authority by which such licence was issued.

(5) Every licensee whose licence has been cancelled shall, within a period of thirty days from the date of such cancellation, or within such further period, not exceeding three months from such date, as the Controller or such other officer authorized by him on behalf may, on sufficient cause being shown, allow, dispose of the weights or measures which were in his possession, custody or control on the date of such cancellation and in the event of his failure to do so, the Controller or any other officer authorized by him, in writing, in this behalf, may seize and dispose of the same and distribute the proceeds thereof in such manner as may be prescribed.

5. In the Rule 3 of the said rules the existing rule 3(14) is omitted and substituted with the following :

Rule 3(14): Use of weights only or measures only or number only in certain cases.

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

- a. Weight, 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 measure;
- d. Volume, if the commodity is liquid or is sold by cubic measure; or
- e. Number, if the commodity is sold by number.

Provided that the Controller, Legal Metrology shall issue instruction/directions/orders on use of specific type of weight or measure or number from time to time for different trade/transactions:

- i. Areas
- ii. Class of undertaking
- iii. Class of Goods
- iv. Class of users of weights and Measures.

6. Insertion of New Rule 7A: After rule 7 New Rule 7A is added.

Rule 7A: Cognizance of offences: Notwithstanding anything contained in code Criminal Procedure code 1973.

- a. No court shall take cognizance of offence punishable under the Act and the Rules made thereunder except upon a complaint in writing made by

- i. The Controller
 - ii. Any other Legal Metrology Officer authorized in this behalf by the Controller by general or special order.
 - iii. Any person aggrieved or
 - iv. recognized Consumer Association whether the person aggrieved is a member of the Association or not.
- b. No Court inferior to that of a Metropolitan magistrate or a judicial Magistrate of the first class shall try the offences punishable under the Act & the Rules made thereunder.

7. Substitution of Schedule-IV: For schedule-IV of the said rules, the following shall be substituted, namely: -

SCHEDULE-IV

[see rule 3 (4) and (5)]

Licensing and renewal fees for Manufacturers, Repairers or dealer of weights and measures issue of licence/renewal of licence to

Details	Fee (Rs.)
Manufacturer	6000.00
Dealer	5000.00
Repairer	3000.00
Alteration of Licence	500.00
Issue of duplicate licence	500.00

7. Substitution of Schedule-IX: For schedule-IX of the said rules, the following shall be substituted, namely: -

SCHEDULE -IX

[see rule 4 (9) (a), (b) and (d)]

Fee payable for verification and Stamping of Weights and Measures and Weighing and Measuring Instruments.

1. (a) Bullion Weights

Denomination	Fee (Rs.)
10 Kg.	100.00
5 Kg.	80.00
2 Kg.	80.00
1 Kg.	80.00

500 g.	60.00
200 g.	60.00
100 g.	60.00
50 g.	60.00
20 g.	60.00
10 g.	60.00
5g.	60.00
2g.	60.00
1g.	60.00
500mg to 1 mg	40.00

(b) Carat Weights

Denomination	Fee (Rs.)
100g (500c)	80.00
40g (200c)	80.00
20g(100c)	80.00
10g (50c)	80.00
4g(20c)	80.00
2(g)	80.00
1g(5c)	80.00
400mg (2c)	80.00
200mg(1c)	80.00
100mg(0.5c)	80.00
40mg(0.02c)	80.00
20mg(0.01c)	80.00
10mg(0.05c)	80.00
4mg(0.02c)	80.00
2mg(0.01c)	80.00
1mg(0.005c)	80.00

(c) Cylindrical knob type weights

Denomination	Fee (Rs.)
10 kg.	80.00
5 kg.	80.00
2 kg.	60.00
1 kg.	40.00
500 g.	20.00

200 g.	20.00
100 g.	20.00
50 g.	20.00
20 g.	20.00
10 g.	20.00
5 g.	20.00
2 g.	20.00
1 g.	20.00

(d) Sheet metal weight (other than Bullion)

Denomination	Fee (Rs.)
500 mg.	20.00
200 mg.	20.00
100 mg.	20.00
50 mg.	20.00
20 mg.	20.00
10 mg.	20.00
5 mg.	20.00
2 mg.	20.00
1 mg.	20.00

(e) Iron hexagonal and parallelepiped weights

Denomination	Fee (Rs.)
50 kg	100.00
20 kg	50.00
10 kg	50.00
5 kg	50.00
2 kg	40.00
1 kg	30.00
500 g	15.00
200 g.	15.00
100 g.	15.00
50 g.	10.00

(f) Standard weights for testing of high capacity weighing machines:

Denomination	Fee corresponding to Max permissible relative error 0.5/10000 in Rs.	Fee corresponding to Max permissible relative error 3.3/10000, 1.7/10000 and 1.0/10000 in Rs.
100 kg	150.00	100.00
200 kg	300.00	200.00
500 kg	600.00	400.00
1000 kg	1500.00	1000.00
2000 kg	3000.00	2000.00
5000 kg	5000.00	4000.00

2.Capacity Measures

Denomination	Fee (Rs.)
20 Litres	300.00
10 Litres	300.00
5 Litres	300.00
2 Litres	40.00
1 Litres	40.00
500 ml	40.00
200 ml	40.00
100 ml	40.00
50 ml	40.00
20 ml	40.00

Length Measures**a. Non-Flexible**

Denomination	Fee (Rs.)
2 m.	40.00
1 m.	40.00
0.5 m.	40.00
1 m. graduated (at every cm)	80.00
0.5 m. graduated (at every cm)	80.00

b. Fabric Plastic/Woven/Steel tapes

Accuracy Class	Fee (Rs.)
Class-I	3.00
Class-II	2.00
Class-III	2.00

c. Folding Scales

Denomination	Fee (Rs.)
1 m.	40.00
0.5 m	40.00

d. Surveying Chain

Denomination	Fee (Rs.)
30 m.	1000.00
20 m.	1000.00

4. Beam Scale Class A and B

Denomination	Fee (Rs.)
200 kg.	800.00
100 kg.	600.00
50 kg.	300.00
20 kg.	300.00
10 kg.	300.00
5 kg.	200.00
2 kg.	200.00
1 kg.	200.00
500g and below	100.00

5. Beam Scales Class C and D

Denomination	Fee (Rs.)
1000 kg.	400.00
500 kg.	400.00
300 kg.	400.00
200 kg.	200.00
100 kg.	200.00
50 kg.	40.00

20 kg.	40.00
10 kg.	40.00
5 kg.	30.00
2 kg.	30.00
1 kg.	30.00
500g and below	20.00

6. Non-Automatic Weighing Instruments-Mechanical (analogue) Class III and IIII

Denomination	Fee (Rs.)
400 t	5000.00
300 t	5000.00
200 t	5000.00
150 t	4000.00
100 t	4000.00
80 t	4000.00
60 t	4000.00
50 t	4000.00
40 t	4000.00
30 t	4000.00
25 t	4000.00
20 t	4000.00
15 t	4000.00
10 t	2000.00
5 t	1500.00
3 t	1500.00
2 t	1500.00
1500 kg	1000.00
1000 kg	1000.00
500 kg	800.00
300 kg	500.00
250 kg	500.00
200 kg	300.00
150 kg	300.00
100 kg	300.00
50 kg	300.00
30 kg	300.00
25 kg	200.00

20 kg	200.00
15kg	100.00
10 kg	100.00
5 kg	100.00
3 kg	100.00
2 kg	100.00
1 kg	50.00
500 g. and below	50.00

7. Non-Automatic Weighing Instruments- Electronic Class III and IIII

Denomination	To be Amended Revised fee (Rs.)
400 t	5000.00
300 t	5000.00
200 t	5000.00
150 t	5000.00
100 t	5000.00
80 t	5000.00
60 t	5000.00
50 t	5000.00
40 t	5000.00
30 t	4000.00
25 t	4000.00
20 t	4000.00
15 t	4000.00
10 t	3000.00
5 t	2000.00
3 t	1500.00
2 t	1500.00
1500 kg	1000.00
1000 kg	1000.00
500 kg	800.00
300 kg	500.00
250 kg	500.00
200 kg	500.00
150 kg	500.00
100 kg	500.00
50 kg	500.00
30 kg	350.00

25 kg	350.00
20 kg	300.00
10 kg	250.00
5 kg	150.00
3 kg	150.00
2 kg	150.00
1 kg	150.00
500 g. and below	150.00

**8. (a) Non-Automatic Weighing instruments both mechanical & electronics
Class I and II**

Denomination	Fee (Rs.)
Exceeding 50 t	5000.00
Not exceed 50t but exceed 10 t	4000.00
Not exceed 10 t but exceed 1 t	2000.00
Not exceed 1 t but exceed 50 kg	1000.00
Not exceed 50 kg but exceed 10kg	800.00
Not exceed 10 kg	600.00

(b) Automatic Weighing Instrument

Capacity	Fee (Rs.)
Exceeding 100 t	5000.00
Not exceed 100 t but exceed 50 t	4000.00
Not exceed 50t but exceed 10 t	3000.00
Not exceed 10 t but exceed 1 t	2000.00
Not exceed 1 t but exceed 50 kg	1000.00
Not exceed 50 kg but exceed 10 kg	800.00
Not exceed 10 kg	600.00

9. Volumetric measuring instruments

Type	Fee (Rs.)
For each Dispensing pump	3000.00
For each Totalizing Counter	2000.00

10. Other instruments

Capacity	Fee (Rs.)
Exceeding 100 litre	Rs. 750.00 for the 1st 100 litres plus Rs. 300 for every additional 100 litres or part there of subject to a maximum of Rs. 5000.00
Not exceeding 100 litres but exceeding 50 litres	750.00
Not exceeding 50 litres but exceeding 20 litres	600.00
Not exceed 20 litres	500.00

11. Measuring systems for liquid other than water (Flow meters)

Capacity	Fee (Rs.)
Flow rate up to 10 litre/min	1000.00
Above 10 litre/Min up to 100 litre/min	3000.00
Above 100 litre/ Min up to 500 litre/ Min	4000.00
Above 500 litre/ Min	5000.00

12. Linear Measuring Instruments

Type	Fee (Rs.)
Taxi	500.00
Auto rickshaw meters	150
Other meters	Rs. 75.00 for the 1st 1000 m. or part there of plus Rs. 5.00 for every additional 100 m. or part thereof.

13. Clinical Thermometer

Type	Fee (Rs.)
Clinical Thermometers	50.00

14. Water Meter

Type	Fee (Rs.)
Water Meter	200.00

15. Peg Measure

Capacity	Fee (Rs.)
30 ml	100.00
60 ml	100.00
100 ml	100.00

16. CNG Dispenser

Capacity	Fee (Rs.)
For each CNG dispenser	3000.00
For each Totalizing Counter	2000.00

17. LPG Dispenser

Capacity	Fee (Rs.)
For each LPG dispenser	3000.00
For each Totalizing Counter	2000.00

18. Counter Machine

Capacity	Fee (Rs.)
Up to 10 kg	100.00
Above 10 kg	200.00

19. Storage tank

Capacity	Fee(Rs.)
100 litre and above	Rs. 150.00 for the 1st 100 Litre plus Rs. 30.00 for every additional 100 litre or part thereof subject to maximum of Rs. 5000

20. Vehicle tanks

Capacity	Fee(Rs.)
Up to 12kl	4000.00
Above 12kl	5000.00

21. Dip tape for use in measurement of oil

Capacity	Fee(Rs.)
50m	500.00

25m	500.00
20m	350.00
15m	300.00
10m	250.00
5m	250.00

22. Automatic rail weighbridges

Type	Fee(Rs.)
For each load receptor	5000.00
For each Totalizing device	5000.00

23. Automatic in-motion road weighbridges

Type	Fee(Rs.)
For each load receptor	5000.00

24. Discontinuous totalizing automatic weighing instruments

Type	Fee(Rs.)
For each load receptor	5000.00

8. Substitution of Schedule-X.- For schedule-X of the said rules, the following shall be substituted, namely: -

SCHEDULE -X

[see rule 7]

Compounding fees for various offences

Sl No.	Section	Nature of offence	Penal Section fee (Rs.)	Fee (Rs.) Compounding fee (Rs.)
1.	S.8(3) (a)	Use of weight measure or numeration other than the standard weight, measure or numeration.	25	5000
		Hawkers, Sandy Merchants and petty shops for auto drivers		500
2.	S.8(4)	Manufacture of weight or measure not conforming to the standards.	27	20000

3.	S.8(4)	import of weight and measure not conforming to the standards.	39	25000
4.	S.10	Transaction or dealing or contract in respect of goods etc, by weight, measure or number otherwise than prescribed.	28	10000
5.	S.11(a)	Quote or make announcement or issue or exhibit of price list or charging of price otherwise than in accordance with the standard unit of weight or measure or numeration.	29	10000
		For Retailers		2000
6.	S.12	custom, usage, practice or method of whatever nature to demand, receive or cause to be demanded or received any quantity of article, thing or service in excess of or less than, the quantity specified by weight, measure or number in the contract or other agreement in relation to the said article, thing or service.	30	10000
		For Petrol pump, Sugar Factory and Mining areas.		10000
		For Hawkers		500
7.	S.17	Maintenance of records, registers by manufacturer, dealer or repairer and production of weight, measure document, register on demand	31	5000
8.	S.18(1)	Compliance of declaration in respect of pre-packaged commodity by manufacturer/ packer/dealer.	36(1)	5000
		For Retailers who pack for sale by themselves (excluding proprietor/ partnership firm/company who owns chain of hypermarkets, chain of retail stores)		2500

9.	S.18(1)	Compliance of Net Quantity requirement of pre-packaged commodity by manufacturer/dealer.	36(2)	15000
		For Retailers who pack for sale by themselves (excluding chain of hypermarkets, chain of retail stores etc under one proprietor/ partnership firm/company)		5000
10.	S.19	Registration of importer of weight or measure	38	25000
11.	S.22	For not seeking Approval of model	32	20000
12.	S.23	Manufacture of weight or measure without licence	45	20000
13.	S.23	Repair/sale of weight or measure only without licence	46	5000
14.	S.24(1)	Use of unverified weight or measure in transaction or protection	33	2000
15.	S.24(2)- S.24(4)	GATC	37(1)	50000
16.	S.37(2)	Wilful verification by the owner or employee of GATC	37(2)	10000
17.	S.33	Sale of weight or measure without verification	33	10000
18.	S.34	Sale or livery of commodities by non-standard weight or measure	34	5000
19.	S.35	Rendering services by non-standard weight or measure	35	5000
20.	S.47	Tampering with licence	47	20000
21.	S.53(3)	Provision of any rule made under the Act	53(3)	2000
		Hawkers/auto drivers sandy merchants, petty shop		500

8. **Insertion of new Schedule-XIA:** After Schedule XI in the said rules, and entries relating thereto, the following shall be inserted, namely:

[see rule 4A)

EXCEPTIONS REFERRED TO IN RULE 4A

The following commodities may be sold by weight, measure or number as shown against the commodity.

TABLE-1

Sl.No.	Commodity	Whether declaration to be expressed in terms of weight, measure or number or two or more of them
1.	Aerosol products	Weight
2.	Acids in liquid form	Weight or volume
3.	Compressed or Liquefied Gas (but not liquefied Petroleum gas)	Weight and equivalent volume that stated temperature and pressure
4.	Butter (incl. Peanut butter), cheese, curd, ghee	Weight
5.	Electric cables	Length or weight
6.	Electric wire	Length or weight
7.	Fencing wire	Length or weight
8.	Hair oil, un-perfumed	Weight or Volume
9.	Fruits and vegetables	Number or weight
10.	Furnace oil	Weight or Volume
11.	Linseed oil and other vegetable oil/ Edible oil, Vanaspathi, Ghee, Butter	Weight or Volume
12.	Heavy residual fuel oil	Weight
13.	Industrial diesel fuel	Volume
14.	Honey, malt extract, golden syrup treacle, molasses.	Weight
15.	Ice cream and other similar frozen products	Weight or Volume
16.	Liquid chemicals	Weight or Volume
17.	Liquid petroleum gas	Weight
18.	Nails, wood screws	Number or Weight
19.	Paint (other than paste paints or solid paints), varnish and varnish stirs, enamels.	Volume
20.	Papad	Number and Weight
21.	Paste paint, solid paint	Weight
22.	Ressogulla, Gulabjamun and other sweet	Weight

	preparations	
23.	Readymade garments	Number and size
24.	Sauce, all kinds	Weight
25.	Tyres and tubes	Number
26.	Yarn	Weight or length of yarn
27.	Milk in Bulk transaction only	Weight and equivalent volume
28.	Plastic or ceramic or metal goods	Number or weight
29.	Savouries	Weight
30.	Steel and Iron	Weight with dimensions
31.	Textiles	Weight or length

TABLE-2

Sl. No.	Commodity	Delivery of Goods
1.	Rice in bags	Rice in bags shall be Weighed in the presence of consumer and delivered.
2.	Food Grains	The Food Grains shall be weighed before grinding by flour mills.
3.	Seeds, Fertilizers in Bags	Fertilizer and seeds shall be Weighed in the presence of purchaser and delivered.
4.	Cement in bags	The Cement in Bags shall be Weighed in the presence of purchaser and delivered.

By order and in the name of
Governor of Karnataka.


(V. Venkatesh)

Deputy Secretary to the Government,
Food, Civil supplies, Consumer affairs and
Legal Metrology Department.

To,

The Complier, Karnataka State Gazetteer, Bengaluru- to print this Notification in the special Gazette and supply 500 copies to Food, Civil Supplies, Consumer Affairs and Legal Metrology Department, Bengaluru.

Copy to:

1. The Joint Secretary to Government of India, Ministry of Consumer Affairs, Food and Public Distribution Department of Consumer Affairs, Krishi Bhavan, New - Delhi-110 001.

2. The Director Legal Metrology, Government of India, Krishi Bhavan, New-Delhi- 110 001.
3. The Secretary to Government, Parliamentary Affairs and Legislature, Vidhana Soudha, Bengaluru-1.
4. The Joint Secretary to Government of India, Ministry of Consumer Affairs, Food and Public Distribution Department of Consumer Affairs, Krishi Bhavan, New - Delhi-110 001.
5. The Director Legal Metrology, Government of India, Krishi Bhavan, New-Delhi- 110 001.
6. The Secretary to Government, Parliamentary Affairs and Legislature, Vidhana Soudha, Bengaluru-1.
7. The Controller of Legal Metrology, Karnataka, No.1, Ali Askar Raod, Bengaluru- 52.
8. The Deputy Controllers and Assistant Controllers, Department of Legal Metrology in Karnataka (Through Controller of Legal Metrology Department, Bengaluru).
9. The Under Secretary to Government, Assistant Solicitor and Ex-Officio, Parliamentary Affairs and Legislature Department, Vidhana Soudha, Bengaluru.
10. Private Secretary to Hon'ble Minister for Food, Civil Supplies, Consumer Affairs and Legal Metrology Department, Bengaluru
11. The Principal Accountant General (G & SSA) Karnataka, New Building, 'Audit Bhavan', P.O. No.5398, Bengaluru 560001.
12. Private Secretary to Secretary to Government Food, Civil Supplies, Consumer Affairs and Legal Metrology Department, Bengaluru.
13. P.A. to Deputy Secretary Food, Civil Supplies, Consumer Affairs and Legal Metrology Department, Bengaluru.
14. Section Guard file/ Extra copies.