

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

NOTIFICATION

New Delhi, the 6th June, 2013

G.S.R. 359(E). - In exercise of the powers conferred by sub-section (1) read with clause (j) of sub-section (2) of Section 52 of the Legal Metrology Act, 2009 (1 of 2010), the central Government hereby makes the following rules further to amend Legal Metrology (Packaged Commodities) Rules, 2011, namely:-

1. (1) These rules may be called the Legal (Packaged Commodities) Amendment Rules, 2013.

(2) Save as otherwise provided in these rules, they shall come into force on the date of their publication in the Official Gazette.

2. In the Legal Metrology (Packaged Commodities) Rules, 2011

(a) In rule 2,-

(i) after clause (b), the following clauses shall be inserted, namely:-

(bb) "industrial consumer" means the consumer who buys packaged commodities directly from the manufacturer for use by that industry;

(bc) "institutional consumer" means any institution which hires or avails of the facilities or service in connection with transport, hotels, hospitals or such other service institutions which buy packaged commodities directly from the manufacturer for use by that institution;

(ii) in clause (k), the proviso shall be omitted;

(b) in rule 3; the Explanation shall be omitted;

(c) in rule 18, after sub-rule (7), the following sub-rule shall be inserted, with effect from 1st day of July, 2013, namely:-

"(8) (1) All the marketing companies, manufacturers, packers, importers or distributors of Liquefied Petroleum Gas cylinder shall maintain a check weigher or non-automatic weighing instrument, digital or analogue, of Accuracy class-III (Max. 50kg, e=10g) to check the weight of the Liquefied Petroleum Gas cylinder.

(2) The marketing companies, manufacturers, packers, importers or distributors referred to in sub-rule (1), shall provide to the delivery man to measure or weigh the correct quantity of the Liquefied Petroleum Gas cylinder.

(d) In rule 32, after sub-rule (2), the following sub-rule shall be inserted, namely:-

"(3). Sum of compounding of offences.-The sum of-compounding of offences committed under the said Act shall be as specified in the following Table, namely:-

TABLE

Sl no	Offence	Compounding amount	
1	2	3	
		If the application for compounding is by retailers or wholesale dealers	If the application for compounding is by manufacturers or importers
1	Contravention of section 29	Rupees two thousand	Rupees ten thousand
2	Contravention of sub-section (1) of section 36	Rupees five thousand	Rupees twenty five thousand
3	Contravention of sub-section (2) of section 36	Rupees ten thousand	Rupees fifty thousand
4	Selling of products for more than the maximum retail price	Rupees two thousand	Rupees five thousand

(e) in the Second Schedule, in column (3),-

(a) against serial number 2, after the figures, letters and word, "5 Kg and 10 kg"; the figures and letters "75g, 125g, 150g, 250g, shall be inserted;

(b) against serial number 3, after the figures and letter, "300g", the figures and letters "350g, 400g" shall be inserted;

(c) against serial number 7, after the figures and letter "500g", the figures and letter "750g" shall be inserted;

(d) against serial numbers 8, for the entry, the following entry shaft be substituted, namely:-

"Below 25g no restriction, 25g, 50g, 75g,100g, 125g, 150g, 200g, 250g, 500g, 750g, 1 kg, 1.5 kg. 2kg and thereafter in the multiple of 1 kg";

(e) against serial number 9, after the figures and letter "100g", the figures and letter "125g" shall be inserted;

(f) against serial number 10,-

(i) after the word, figure and letters "multiples of 5kg" the words, figures and letters "below: "50g no restrictions, 175g, 300g, 750g"shall be inserted;

(ii) after the word "numerals", the words figures and letters, "Below 50 ml no restriction, 175ml, 300 ml, 750 ml" shall be inserted;

(g) against serial number' 12, after the figure and letter "2kg" the figures and letters "2.5kg, 3kg" shall be Inserted;

(h) against serial number16, the brackets and words "(in can only)" shall be omitted.

(F. No. WM:-10(6)/2013]

MANOJ KUMAR PARIDA, Jt. Secy.

Note:- The principal rules were published in the Gazette of India, Extraordinary, Part II, section 3, Sub-section (i), *vide* number. G.S.R. 202(E), dated the 7th March, 2011 and last amended, *vide*, notification number G.S.R. 426(E), dated the 5th June, 2012.

GAZETTE OF INDIA, EXTRAORDINARY

Part II, Section 3, sub-section (i), No. 274

dated New Delhi, Thursday, June 6, 2013.