

OTHER PENAL PROVISIONS RELATE TO THE LEGAL METROLOGY ACT 2009

S. No.	State Department	Applicable Act / Rule / Order	Provision of Law-Relevant Section/ Rule/ Clause/Form	Short Description	Fine/ Imprisonment	Amount (in Rs.)/ Years
1	Legal Metrology Department, Telangana State	The Legal Metrology Act 2009	Section 25: Penalty for use of non-standard weight or measure	Whoever uses or keeps for use any weight or measure or makes use of any numeration otherwise than in accordance with the standards of weight or measure or the standard of numeration, as the case may be, specified by or under this Act,	Fine/ imprisonment	Fine twenty-five thousand rupees and for the second or subsequent offence, with imprisonment for a term which may extend to six months and also with fine.
2	Legal Metrology Department, Telangana State	The Legal Metrology Act 2009	Section 26: Penalty for alteration of weight and measure	Whoever tampers with, or alters in any way, any reference standard, secondary standard or working standard or increases or decreases or alters any weight or measure with a view to deceiving any person or knowing or having reason to believe that any person is likely to be deceived thereby, except where such alteration is made for the correction of any error noticed therein on verification.	Fine/ imprisonment	fifty thousand rupees and for the second and subsequent offence with imprisonment for a term which shall not be less than six months but which may extend to one year or with fine or with both.
3	Legal Metrology Department, Telangana State	The Legal Metrology Act 2009	Section 27: Penalty for manufacture or sale of non-standard weight or measure	Every person who manufactures or causes to be manufactured or sells or offers, exposes or possesses for sale, any weight or measure which,- (a) does not conform to the standards of weight or measure specified by or under this Act; or (b) which bears thereon any inscription of weight, measure or number which does not conform to the standards of weight, measure or numeration specified by or under this Act, except where he is permitted to do so under this Act	Fine/ imprisonment	shall be punished with a fine which may extend to twenty thousand rupees and for the second or subsequent offence with imprisonment for a term which may extend to three years or with fine or with both.
4	Legal Metrology Department, Telangana State	The Legal Metrology Act 2009	Section 28: Penalty for making any transaction,	Whoever makes any transaction, deal or contract in contravention of the standards of weights and measures specified under section 10 shall be punished	Fine/ imprisonment	with fine which may extend to ten thousand rupees and for the second or subsequent offence, with imprisonment for a term which may extend to one year, or with fine, or with both.

			deal or contract in contravention of the prescribed standards			
5	Legal Metrology Department, Telangana State	The Legal Metrology Act 2009	Section 29: Penalty for quoting or publishing, etc., of non-standard units.	Whoever violates section 11	Fine/ imprisonment	shall be punished with fine which may extend to ten thousand rupees and, for the second or subsequent offence, with imprisonment for a term which may extend to one year, or with fine, or with both.
8	Legal Metrology Department, Telangana State	The Legal Metrology Act 2009	Section 30: Penalty for transactions in contravention of standard weight or measure	Whoever-(a) in selling any article or thing by weight, measure or number, delivers or causes to be delivered to the purchaser any quantity or number of that article or thing less than the quantity or number contracted for or paid for; or b) in rendering any service by weight, measure or number, renders that service less than the service contracted for or paid for; or (c) in buying any article or thing by weight, measure or number, fraudulently receives, or causes to be received any quantity or number of that article or thing in excess of the quantity or number contracted for or paid for; or (d) in obtaining any service by weight, measure or number, obtains that service in excess of the service contracted for or paid for	Fine/ imprisonment	shall be punished with fine which may extend to ten thousand rupees, and, for the second or subsequent offence, with imprisonment for a term which may extend to one year, or with fine, or with both.
9	Legal Metrology Department, Telangana State	The Legal Metrology Act 2009	Section 31: 31. Penalty for non-production of documents, etc.	Whoever, being required by or under this Act or the rules made there under to submit returns, maintain any record or register, or being required by the Director or the Controller or any legal metrology officer to produce before him for inspection any weight or measure or any document, register or other record relating thereto, omits or fails without any reasonable excuse, so to do,	Fine/ imprisonment	shall be punished with fine which may extend to five thousand rupees and for the second or subsequent offence, with imprisonment for a term which may extend to one year and also with fine.

10	Legal Metrology Department, Telangana State	The Legal Metrology Act 2009	Section 32: Penalty for failure to get model approved	Whoever fails or omits to submit model of any weight or measure for approval,	Fine/ imprisonment	shall be punished with fine which may extend to twenty thousand rupees and for the second or subsequent offence, with imprisonment for a term which may extend to one year and also with fine.
11	Legal Metrology Department, Telangana State	The Legal Metrology Act 2009	Section 33: Penalty for use of unverified weight or measure	Whoever, sells, distributes, delivers or otherwise transfers or uses any unverified weight or measure	Fine/ imprisonment	shall be punished with fine which shall not be less than two thousand rupees but which may extend to ten thousand rupees and, for the second or subsequent offence, with imprisonment for a term which may extend to one year and also with fine.
12	Legal Metrology Department, Telangana State	The Legal Metrology Act 2009	Section 34: Penalty for sale or delivery of commodities, etc., by non-standard weight or measure	Whoever sells, or causes to be sold, delivers, or causes to be delivered, any commodity, article or thing by any means other than the standard weight or measure or number,	Fine/ imprisonment	shall be punished with fine not be less than two thousand rupees but which may extend to five thousand rupees and, for the second or subsequent offence, with imprisonment for a term which shall not be less than three months but which may extend to one year, or with fine, or with both.
13	Legal Metrology Department, Telangana State	The Legal Metrology Act 2009	Section 35: Penalty for rendering services by non-standard weight, measure or number	Whoever renders or causes to be rendered, any service through means other than the weight or measure or numeration or in terms of any weight, measure or number other than the standard weight or measure,	Fine/ imprisonment	Shall be punished with fine which shall not be less than two thousand rupees but which may extend to five thousand rupees and for the second or subsequent offence, with imprisonment for a term which shall not be less than three months but which may extend to one year, or with fine, or with both.
14	Legal Metrology Department, Telangana State	The Legal Metrology Act 2009	Section 36: Penalty for selling, etc., of non-standard packages	.(1) Whoever manufactures, packs, imports, sells, distributes, delivers or otherwise transfers, offers, exposes or possesses for sale, or causes to be sold, distributed, delivered or otherwise transferred, offered, exposed for sale any pre-packaged commodity which does not conform to the declarations on the package as provided in this Act,	Fine/ imprisonment	(1) shall be punished with fine which may extend to twenty-five thousand rupees, for the second offence, with fine which may extend to fifty thousand rupees and for the subsequent offence, with fine which shall not be less than fifty thousand rupees but which may extend to one lakh rupees or

				(2) Whoever manufactures or packs or imports or causes to be manufactured or packed or imported, any pre-packaged commodity, with error in net quantity as may be prescribed		with imprisonment for a term which may extend to one year or with both. (2) shall be punished with fine which shall not be less than ten thousand rupees but which may extend to fifty thousand rupees and for the second and subsequent offence, with fine which may extend to one lakh rupees or with imprisonment for a term which may extend to one year or with both.
15	Legal Metrology Department, Telangana State	The Legal Metrology Act 2009	Section 37: Penalty for contravention by Government approved Test Centre	(1) Where any Government approved Test Centre contravenes any of the provisions of this Act or the rules made there under, or the conditions of the licence, (2) Where any owner or employee of a Government Approved Test Centre performing duties in accordance with the provisions of this Act or the rules made there under, wilfully verifies or stamps any weight or measure in contravention of the provisions of this Act or the rules made there under,	Fine/ imprisonment	(1) shall be punished with fine which may extend to one lakh rupees. (2) he shall, for every such contravention, be punishable with imprisonment for a term which may extend to one year or with fine which may extend to ten thousand rupees or with both.
16	Legal Metrology Department, Telangana State	The Legal Metrology Act 2009	Section 38: Penalty for non-registration by importer of weight or measure	Whoever imports any weight or measure without being registered under this Act shall be punished with fine		shall be punished with fine which may extend to twenty-five thousand rupees and for the second or subsequent offence, with imprisonment for a term which may extend to six months, or with fine, or with both.
17	Legal Metrology Department, Telangana State	The Legal Metrology Act 2009	Section 39: Penalty for import of non-standard weight or measure.	Whoever imports any non-standard weight or measure	Fine/ imprisonment	shall be punished with fine, which may extend to fifty thousand rupees and for the second or subsequent offence, with imprisonment for a term which may extend to one year and also with fine.

18	Legal Metrology Department, Telangana State	The Legal Metrology Act 2009	Section 40: Penalty for obstructing Director, Controller or legal metrology officer.	Whoever obstructs the Director, the Controller or any legal metrology officer with intent to prevent or deter the Director or the Controller or any legal metrology officer from exercising his powers or discharging his functions, or in consequence of anything done or attempted to be done by the Director or the Controller or any legal metrology officer in the lawful exercise of his powers or discharge of his functions as such, or whoever obstructs the entry of the Director or the Controller or any legal metrology officer into any premises for inspection and verification of any weight or measure or any document or record relating thereto or the net contents of any packaged commodity or for any other purpose	Fine/ imprisonment	shall be punished with imprisonment for a term which may extend to two years and for the second or subsequent offence, with imprisonment for a term which may extend to five years.
19	Legal Metrology Department, Telangana State	The Legal Metrology Act 2009	Section 41: Penalty for giving false information or false return	1) Whoever gives any information to the Director, the Controller or any legal metrology officer, which he may require or ask for in the course of his duty, and which such person either knows or has reason to believe to be false. (2) Whoever, being required by or under this Act so to do, submits a return or maintains any record or register which is false in material particulars.	Fine/ imprisonment	1) shall be punished with fine which may extend to five thousand rupees and for the second or subsequent offence with imprisonment for a term which may extend to six months and also with fine. (2) shall be punished with fine which may extend to five thousand rupees and for the second or subsequent offence, with imprisonment for a term which may extend to one year and also with fine.
20	Legal Metrology Department, Telangana State	The Legal Metrology Act 2009	Section 42: Vexatious search	The Director, the Controller or any legal metrology officer, exercising powers under this Act or any rule made there under, who knows that there are no reasonable grounds for so doing, and yet- (a) searches, or causes to be searched, any house, conveyance or place; or (b) searches any person; or (c) seizes weight, measure or other movable property; shall, for every such offence.	Fine/ imprisonment	Shall, for every such offence, be punished with imprisonment for a term which may extend to one year, or with fine which may extend to ten thousand rupees or with both.

21	Legal Metrology Department, Telangana State	The Legal Metrology Act 2009	Section 43: Penalty for verification in contravention of Act and rules	Where the Controller or any legal metrology officer exercising powers under this Act or any rule made there under, wilfully verifies or stamps any weight or measure, in contravention of the provisions of this Act or of any rule made there under.	Fine/ imprisonment	shall, for every such offence, be punished with imprisonment for a term which may extend to one year, or with fine which may extend to ten thousand rupees or with both.
22	Legal Metrology Department, Telangana State	The Legal Metrology Act 2009	Section 44: Penalty for counterfeiting of seals, etc	.- (1) Whoever- (i) counterfeits any seal specified by or under this Act or the rules made there under, or (ii) sells or otherwise disposes of any counterfeit seal, or (iii) possesses any counterfeit seal, or (iv) counterfeits or removes or tampers with any stamp, specified by or under this Act or rules made there under, or (v) affixes the stamp so removed on, or inserts the same into, any other weight or measure, Explanation. In this sub-section, "counterfeit" shall have the meaning assigned to it in section 28 of the Indian Penal Code (45 of 1860). (2) Whoever obtains, by unlawful means, any seal specified by or under this Act or the rules made there under and uses, or causes to be used, any such seal for making any stamp on any weight or measure with a view to representing that the stamp made by such seal is authorised by or under this Act or the rules made there under (3) Whoever, being in lawful possession of a seal specified by or under this Act or the rules made there under, uses, or causes to be used, such seal without any lawful authority for such use (4) Whoever sells or offers or exposes for sale or otherwise disposes of any weight or measure which, he knows or has reason to believe, bears thereon a counterfeit stamp.	Fine/ imprisonment	(1) Whoever- (i) shall be punished with imprisonment for a term which shall not be less than six months but which may extend to one year and for the second or subsequent offence, with imprisonment for a term which shall not be less than six months but which may extend to five years. (2) shall be punished with imprisonment for a term which shall not be less than six months but which may extend to one year and for the second or subsequent offence, with imprisonment for a term which shall not be less than six months but which may extend to five years. (3) shall be punished with imprisonment for a term which shall not be less than six months but which may extend to one year and for the second or subsequent offence, with imprisonment a term which shall not be less than six months but which may extend to five years. (4) shall be punished with imprisonment for a term which shall not be less than six months but which may extend to one year and for the second or subsequent offence,

						with imprisonment for a term which shall not be less than six months but which may extend to five years.
23	Legal Metrology Department, Telangana State	The Legal Metrology Act 2009	Section 45: Penalty for manufacture of weight and measure without licence	Whoever, being required to obtain a licence under this Act or the rules made there under, manufactures, without being in possession of a valid licence, any weight or measure.	Fine/ imprisonment	shall be punished with fine which may extend to twenty thousand rupees and for the second or subsequent offence, with imprisonment for a term which may extend to one year, or with fine, or with both.
24	Legal Metrology Department, Telangana State	The Legal Metrology Act 2009	Section 46: Penalty for repair, sale, etc., of weight and measure without licence.	Whoever, being required to obtain a licence under this Act or the rules made there under repairs or sells or offers, exposes or possesses for repair or sale, any weight or measure, without being in possession of a valid licence, shall be punished with fine which may extend to five thousand rupees and for the second or subsequent offence, with imprisonment for a term which may extend to one year, or with fine, or with both.	Fine/ imprisonment	Shall be punished with fine which may extend to five thousand rupees and for the second or subsequent offence, with imprisonment for a term which may extend to one year, or with fine, or with both.
25	Legal Metrology Department, Telangana State	The Legal Metrology Act 2009	Section 47: Penalty for tampering with licence	Whoever alters or otherwise tampers, with any licence issued or renewed under this Act or rules made there under, otherwise than in accordance with any authorisation made by the Controller in this behalf.	Fine/ imprisonment	shall be punished with fine which may extend to twenty thousand rupees, or with imprisonment for a term which may extend to one year or with both.
29	Legal Metrology Department, Telangana State	The Legal Metrology Act 2009	Section 51: Provisions of Indian Penal Code and Code of Criminal Procedure not to apply	The provisions of the Indian Penal Code (45 of 1860) and section 153 of the Code of Criminal Procedure, 1973 (2 of 1974) in so far as such provisions relate to offences with regard to weight or measure, shall not apply to any offence which is punishable under this Act.	Fine/ imprisonment	

34	Legal Metrology Department, Telangana State	The Legal Metrology Act 2009	Section 55: Act not to apply in certain cases	The provisions of this Act, in so far as they relate to verification and stamping of weights and measures, shall not apply to any weight or measure, (a) used in any factory exclusively engaged in the manufacture of any arms, ammunition or both, for the use of the Armed Forces of the Union; (b) used for scientific investigation or for research; (c) manufactured exclusively for export.	Fine/ imprisonment	
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