



खोज

Annexure (8)

बाट तथा माप
उपभोक्ता कल्याण कोष
उपभोक्ता जागरण
नागरिक अधिकार पत्र
मुल्य निगरानी कक्ष
आवश्यक वस्तु आदेश
संसूचनाएं और
अधिसूचनाएं
उपभोक्ता मंच
राष्ट्रीय परीक्षण शाला
वार्षिक रिपोर्ट
मुख्य लेखा नियंत्रक
उपभोक्ता शिकायतें
सूझाव पेटी

**TO BE PUBLISHED IN THE GAZETTE OF INDIA EXTRAORDINARY
PART-II, SECTION-3, SUB SECTION (II)**

**GOVERNMENT OF INDIA
MINISTRY OF COMMERCE & INDUSTRY
DEPARTMENT OF COMMERCE**

NOTIFICATION NO. 44 (RE-2000)/1997-2002

NEW DELHI: 24TH NOVEMBER, 2000

S.O. (E)- In exercise of powers conferred under section 5 of the Foreign Trade (Development and Regulation) Act, 1992 read with paragraph 1.3 and 4.1 of the Export and Import Policy, 1997-2002, the Central Government hereby makes the following amendments in the ITC(HS) Classifications of Export and Import Items, 1997-2002 published on 31st March, 1997 (RE-98) as amended from time to time namely -

2.The following shall be added after paragraph 4 of Chapter 1A: General notes regarding import policy, of ITC(HS) Classifications of Export and Import Items, 1997-2002:

4.All such packaged products, which are subject to provisions of the Standards of Weights and Measures (Packaged Commodities) Rules, 1977 when produced/packed/sold in domestic market, shall be subject to

compliance of all the provisions of the said rules, when imported into India. The compliance of these shall be ensured before the import consignment of such commodities is cleared by Customs for home consumption. All prepackaged commodities, imported into India, shall in particular carry the following declarations:

- (a) Name and address of the importer;**
- (b) Generic or common name of the commodity packed;**
- (c) Net quantity in terms of standard unit of weights and measures. If the net quantity in the imported package is given in any other unit, its equivalent in terms of standard units shall be declared by the importer;**
- (d) Month and year of packing in which the commodity is manufactured or packed or imported;**
- (e) Maximum retail sale price at which the commodity in packaged form may be sold to the ultimate consumer. This price shall include all taxes local or otherwise, freight, transport charges, commission payable to dealers and all charges towards advertising, delivery, packing, forwarding and the like as the case may be.**

5. A new Appendix V to Schedule 1 of ITC(HS) Classifications of

Export and Import Items, 1997-2002, shall
annexed as per annexure 'A' of this Notification.

6. Import of all the products as per Appendix V to Schedule 1 of the ITC (IIS) Classifications of Export and Import Items 1997-2002, shall be subject to compliance of the mandatory Indian Quality Standards as mentioned in

column 2 of the said Annexure, which are also applicable to domestic goods. For compliance of this requirement, all manufacturers/exporters of these products to India, shall be required to register themselves with Bureau of Indian Standards (BIS)."

This issues in Public Interest.

(N.L. LAKHANPAL)

Director General of Foreign Trade and ex-officio
Additional Secretary to the Government of India

Copy to all concerned.

(O.P. HISARIA)

Dy. Director General of Foreign Trade

(Issued from File No.01/89/180/00053/AM01/)

ANNEXURE 'A' TO NOTIFICATION
NO.44 DATED 24th November, 2000

APPENDIX V

S.No.	Applicable BIS Standards	1. Name of the products
1.	IS 1694	Tartrazine, Food grade
2.	IS 1695	Sunset Yellow FCF, Food grade
3.	IS 1697	Erythrosine, Food grade
4.	IS 1698	Indigo Carmine, Food grade
5.	IS 2558	Ponceau 4R, Food grade
6.	IS 2923	Carmoisine, Food grade
7.	IS 5346	Synthetic Food Colour preparation and mixtures
8.	IS 6022	Fast green FCF, Food grade
9.	IS 6406	Brilliant Blue FCF, Food grade
10.	IS 3827	Riboflavin
11.	IS 3841	B-Carotene
12.	IS 4446(Pt1)	Chlorophyll, (Mg Complex)
13.	IS 4446(Pt2)	Chlorophyll, (Cu



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Notification, the 14th July 2004

[To be published in the Gazette of India, Extra ordinary, part II, section 3, sub-section (i)]

Government of India

Ministry of Consumer Affairs, Food and Public Distribution
(Department of Consumer Affairs)

Notification

New Delhi, the 14th

July, 2004.

GSR 450 (E).- In exercise of the powers conferred by section 83 of the Standards of Weights and Measures Act, 1976 (60 of 1976) , the Central Government hereby makes the following rules further to amend the Standards of Weights and Measures (Packaged Commodities) Rules, 1977, namely:-

(1) These rules may be called the Standards of Weights and Measure (Packaged Commodities) Fourth Amendment Rules, 2004.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Standards of Weights and Measures (Packaged Commodities) Rules,

1977, in rule 6, sub-rule (1), in proviso (C) for item (vii), the shall be substituted, namely:-

"(vii) any package containing bidis".

(Satwant Reddy)

Additional Secretary.

(File No WM 10(15)/99)

Note The principal rules were published in the Gazette of India vide number 622(E) dated 26th September 1977 and subsequently amended vide:-

1. GSR 224(E) dated 23.3.2002
2. GSR 253(E) dated 5.4.2002
3. GSR 666(E) dated 25.9.2002
4. GSR 495(E) dated 17.6.2003 with corrigendum issued vide GSR 546 (E) dated 14.7.2003
5. GSR 760(E) dated 24.9.03.
6. GSR 113 dated 12.2.04.
7. GSR 169(E) dated 1.3.04
8. GSR 316(E) dated 14.5.04

THE STANDARDS OF WEIGHTS AND MEASURES ACT, 1976

THE STANDARDS OF WEIGHTS AND MEASURES ACT, 1976

(8th April 1976)

An Act to establish standards of weights and measures, to regulate trade or commerce in weights, measures and other goods which are sold or distributed by number, to provide

for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Twenty Seventh Year of the Republic of India as follows:-

PART I

PROVISIONS APPLICABLE TO EVERY PART

1. (1) This Act may be called the Standards of Weights and Measures and Enforcement Act, 1976.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification, appoint, and different dates may be appointed for different

(a) provisions of this Act;

(b) areas,

(c) classes of undertakings,

(d) classes of goods,

(e) classes of weights and measures, or

(f) classes of users of weights and measures,

and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision in respect of such

classes of undertakings, goods, weights and measures or users of weights and measures in relation to which this Act has been brought into force.

Provided that the provisions of this Act (including the standards established by or under this Act) shall come into force in the State of Sikkim on a date not later than five years from the passing of this Act, as the Central Government may, by notification, appoint, and different dates may be appointed for different areas or for different classes of undertaking or for different classes of goods, or for different classes of weights and measures or for different classes of users of weights and measures.

2. In this Act, unless the context otherwise requires,--

(a) 'calibration' means all the operations which are necessary for the purpose of determining the values of the errors of a weight or measure and, in some cases, of certain principal marks only, in relation to the corresponding values of the quantity to be measured.

Explanation--Calibration may also be carried out with a view to permitting the use of a weight or measure.

(b) 'commodity in packaged form' means commodity packaged whether in any bottle, tin, wrapper or otherwise, in units suitable for sale, whether

(c) 'dealer', in relation to any weight or measure, means a person who, or a firm or a Hindu undivided family which, carried on, directly or otherwise, the business of buying, selling, supplying or distributing any such weight or measure, whether for cash or for deferred payment or for commission, remuneration or otherwise, and includes--

(i) a commission agent who carries on such business on behalf of any principal,

(ii) an importer who sells, supplies, distributes or otherwise delivers any weight or measure to any user, manufacturer, repairer, consumer or any other person, and includes a manufacturer who sells, supplies, distributes or otherwise delivers any weight or measure to any person or category of persons referred to in sub-section (1) of section 2.

Explanation--For the removal of doubts, it is hereby declared that a manufacturer, who sells, supplies, distributes or otherwise delivers any weight or measure, other than a

dealer, shall be deemed to be a dealer.

(d) 'Director' means the Director of Legal Metrology appointed under section 2(1);

(e) 'export' with its grammatical variations and cognate expressions, means taking out of India to a place outside India;

(f) 'false package' means any package which does not conform to the provisions of this Act or any rule or order made there under in relation to such package;

(g) 'false weight or measure' means any weight or measure which does not conform to the standards established by or under this Act in relation to such weight or measure;

(h) 'General Conference on Weights and Measures' means the Conference General des Poids et Mesures established under the Convention du Metre of 1875;

(i) 'Import' with its grammatical variations and cognate expressions, means bringing into India from a place outside India;

(j) 'International Bureau of Weights and Measures' means the Bureau International des Poids et Mesures, established under the Convention du M

(k) 'International Organisation of Legal Metrology' means the Organisation Internationale de Metrologie Legale established under the Convention Organisation Internationale de Metrologie Legale;

(l) 'international prototype of the Kilogram' means the prototype sanctioned by the First General Conference on Weights and Measures held in Pa at the International Bureau of Weights and Measures;

(m) 'inter-State trade or commerce', in relation to any weight or measure or other goods which are bought, sold, supplied, distributed or delivered number, means the purchase, sale, supply, distribution or delivery which--

(i) occasions the movement of such weight, measure or other goods from one State to another, or

(ii) is effected by a transfer of documents of title to such weight, measure or other goods during its movement from one State to another.

Explanation I--Where any such weight or measure is, or other goods are, delivered to a carrier to other bailee for transmission, the movement of s other goods shall, for the purposes of sub-clause (ii), be deemed to commence at the time of such delivery and terminate at the time when deliver, or bailee.

Explanation II--Where the movement of any such weight, measure or other goods commences and terminates in the same State, it shall not be dec such weight, measure or other goods from one State to another merely by reason of the fact that in the course of such movement it passes through State;

(n) 'label' means any written, marked, stamped, printed, or graphic matter affixed to, or appearing upon, any commodity or package containing an

(o) 'manufacturer' in relation to any weight or measure, means a person who, or a firm or a Hindu undivided family which--

(i) makes or manufacturers such weight or measure,

(ii) makes or manufactures one or more parts, and acquires the other parts, of such weight or measure and, after assembling those parts, claims th or measure

manufactured by himself or itself, as the case may be,

(iii) does not make or manufacture any part of such weight or measure but assembles parts thereof made or manufactured by others and claims th or measure manufactured by himself or itself, as the case may be,

(iv) puts, or causes to be put, his own mark on any complete weight or measure made or manufactured by any other person and claims such produ measure made or manufactured by himself or itself, as the case may be.

Explanation--Where any manufacturer dispatches any weight or measure or any part thereof to any branch office maintained by him or it, such br deemed to be a manu- facturer even though the parts so dispatched to it are assembled at such branch office;

(p) 'notification' means a notification published in the Official Gazette;

(q) 'person' includes *

(i) every department or office,

(ii) every organisation established or constituted by Government,

(iii) every local authority within the territory of India

(iv) every co-operative society,

(v) every other society registered under the Societies Registration Act, 1860;

(r) 'premises' includes--

(i) a place where any business industry, production or trade is carried on by a person, whether by himself or through an agent, by whatever name

(ii) a warehouse, go-down or other place where any weight measure or other goods are stored or exhibited.

(iii) a place where any books of account or other documents pertaining to any trade or transaction are kept,

(iv) a dwelling house, if any part thereof is used for the purpose of carrying on any business, industry, production or trade.

Explanation-- 'Place' includes a vehicle or vessel or any other mobile device, with the help of which any trade or business is carried on, and also i instrument on a vehicle vessel or other mobile device;

(s) 'prescribed' means prescribed by rules made under this Act and 'prescribed authority' means such authority as may be specified by such rules;

(t) 'reference standard' means the set of standard weight or measure which is made or manufactured by or on behalf of the Central Government fo secondary

standard;

(u) 'repairer' includes a person who adjusts, cleans, lubricates or paints any weight or measure or renders any other service to such weight or meas weight or measure conforms to the standards established by or under this Act;

(v) 'sale', with its grammatical variations and cognate expressions, means transfer of property in any weight, measure or other goods by one person for a deferred payment or for any other valuable consideration, and includes a transfer of any weight, measure or other goods on the hire-purchase system or payment by installments, but does not include a mortgage or hypothecation of, or a charge or pledge on, such weight, measure or other goods;

(w) 'seal' means a device or process by which a stamp is made, and includes any wire or other accessory which is used for ensuring the integrity of the seal;

(x) 'secondary standard' means the set of standard weight or measure which is made or manufactured by or on behalf of the Central or State Government or any working standard;

(y) 'stamp' means a mark, which is made on, or in relation to, any weight or measure with a view to-

(i) certifying that such weight or measure conforms to the standard specified by or under this Act, or

(ii) indicating that any mark which was previously made thereon certifying that such weight or measure conforms to the standards specified by or under this Act, has been obliterated.

Explanation--A stamp may be made by impressing, casting, engraving, etching, branding, or any other process;

(z) 'transaction' means--

(i) any contract, whether for sale, purchase, exchange or any other purpose, or

(ii) any assessment of royalty, toll, duty or other dues, or

(iii) the assessment of any work done, wages due or services rendered;

(za) 'unverified weight or measure' means a weight or measure which, being required to be verified and stamped under this Act, has not been so verified and stamped;

(zb) 'verification', with its grammatical variations and cognate expressions, includes, in relation to any weight or measure, the process of comparing such weight or measure with a view to ensuring that such weight or measure conforms to the standards established by or under this Act, and includes verification and calibration;

(zc) 'weighing or measuring instrument' means any object, instrument, apparatus or device, or any combination thereof, which is, or is intended to be, used for the purpose of making any weighing or measurement, and includes any appliance, accessory or part associated with any such object, instrument, apparatus or device;

(zd) 'weight or measure' means a weight or measure specified by or under this Act, and includes a weighing or measuring instrument;

(ze) 'working standard' means the set of standard weight or measure which is made or manufactured by or on behalf of Government for the verification of weight or measure, other than a national prototype or national reference or secondary standard.

3. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act or in any order or bye-law made thereunder or in any notification issued thereunder or in any agreement or contract in force at the commencement of this Act.