

Annexure - III

(81)

**GOVERNMENT OF MEGHALAYA
LEGAL METROLOGY DEPARTMENT**

NOTIFICATION

Dated, Shillong, the 26th November 2020.

NO.LM(G) 21/2016/125 - WHEREAS Ease of Doing Business is a priority of the Government of Meghalaya, in consonance with the Business Reform Action Plan of the Department for Promotion of Industry and Internal Trade, Ministry of Commerce & Industry, Government of India;

WHEREAS, there is a need to simplify business regulations and ease of compliance, and bring in transparency and accountability in the inspection of business establishments and industries, for creating a conducive environment for business investors and entrepreneurs in the State;

WHEREAS, there is a need of introduction of online inspection system for the Legal Metrology officers to ensure simplification, transparency and accountability of inspection and ease of compliance of law by the business Establishments and Industries under various provisions of the Legal Metrology Act/Rules;

WHEREAS, there is a need to allow access of inspection reports by business Establishments and Industries and the provisions to report unofficial visit by the Legal Metrology officers;

NOW, THEREFORE, the State Government has decided to introduce an online-based inspection system called the Central Inspection System (hereafter also referred to as CIS) that will also include the office of Controller of Legal Metrology.

After careful examination of the matter, the Government of Meghalaya hereby issues direction to include compliance based inspections under Legal Metrology Act, 2009 and Meghalaya Legal Metrology (Enforcement) Rules 2011 (collectively to be referred as "Rules") in CIS.

Following shall be the key features of CIS and related aspects:

1. **Compliance based inspections shall only be done through CIS.**
2. **Database of Establishments:** The following shall be the sources of database of establishments and industries for online inspections:
 - (a) Data of Establishments and Industries registered/renewed through a ledger/register book and maintained manually at various offices of Legal Metrology and which will be subsequently uploaded to the portal.
 - (b) Data of Establishments and Industries registered/renewed online through the online registration portal of Legal Metrology and on Invest Meghalaya, pending full-fledged computerization of the Legal Metrology offices.
3. **Risk Categorization Criteria of establishments and Frequency of Inspection:** Frequency of compliance based inspections of the establishments/ industries shall be in accordance with Risk Categories as mentioned below:

Sl. No.	Types of Business	Risk Category	Frequency of Inspection
1.	Storage Tank	Low	36 months
2.	(a).Manufacturer, Packers & Importer of Pre-packed Commodities (b). License Repairer in weights and measures	Medium	24 months
3.	License Dealers and Importer in weights and measures	High	12 months

4. **Surprise Inspections and inspections based on complaints:** Surprise Inspection shall be carried out as usual as per the monthly tour programme approved by the Controller and any complaints received from the consumer shall be addressed by the Inspector immediately with the Controller.

Complaint based inspections may be carried out on the basis of:

- (a) Complaints received from consumers or users or Citizens, etc
- (b) Instruction received from the State Government, Lok Ayukta, or Elected Public Representatives (MPs, MLAs) or other competent authorities.
- (c) Relating to Judicial matters or Court cases.

5. **Third party Certification:** Efforts would be undertaken to identify qualified Third-Party Inspection Agencies/ Individuals for carrying out selected inspections.

6. **Random allocation of establishments and Legal Metrology Officers for online inspection:**

- (a) The online Central Inspection System will randomly select Establishments/Industries on the basis of computerized risk assessment as mentioned in serial number 3.
- (b) Allocation of Legal Metrology Officers shall be done by CIS.
- (c) Same Legal Metrology Officers will not inspect the same establishment twice consecutively.

7. **Jurisdiction of Inspectors:**

- (a) In order to implement the CIS seamlessly, government of Meghalaya vide notification LM(G)21/2016/108 dated 5th October, 2020 has allowed Legal Metrology inspectors under section 14(3) of the Legal Metrology Act, 2009 to conduct compliance based inspections outside their local limits but within the jurisdiction of the zonal areas as mentioned in office order No.CLM/G-325/2017/1842 dated 25th September 2020.
- (b) In case of inspection of an establishment or industry in the area other than the jurisdiction of the inspecting officer, the inspecting officer having administrative jurisdiction can take up follow-up action.

8. **Inspection Procedure, Checklist and uploading the inspection reports:**

- (a) A well-defined inspection procedure and a comprehensive inspection checklist/form would be uploaded on the CIS website by the department. This comprehensive inspection checklist/form needs to be strictly followed by the Legal Metrology Officers. No inspections should be done beyond that checklist except in case of complaint-based inspections.
- (b) All such Inspection Report shall be submitted to the appropriate authority through the online Central Inspection System portal and uploaded, within 48 hours of completion of the inspection.
- (c) Where ever inspection report is available, establishments would be allowed to view and download submitted inspection reports at least for the last three years. However, presently the department does not have any specific inspection reports for any individual establishments where inspection reports submitted by the Inspectors are general in nature.

The frequency of inspection with respect to risk categories, categorization of risk, Inspection checklist, differentiation on inspection requirements and criteria for selection for third party are subjected to change from time to time through a notification to be issued by the Controller of Legal Metrology, Meghalaya, Shillong

This will take effect from the date of its publication in the official Gazette.

Sd/-
Secretary to the Govt. of Meghalaya
Legal Metrology Department

Copy to :-

1. P.S. to the Chief Minister for kind information of the Hon'ble Chief Minister.
2. P.S. to the Minister in-charge Legal Metrology Department for kind information of the Hon'ble Minister.
3. The P.S. to Speaker for information of the Hon'ble Speaker.
4. The P.S. to Leader of Opposition for information of Hon'ble Leader of Opposition.
5. The Secretary to the Government of India, Ministry of Consumer Affairs, Food & Public Distribution, Department of Consumers Affairs, Weights and Measures Units, New Delhi .
6. The Secretary to the Government of India, Department for Promotion of Industry and Internal Trade, Ministry of Commerce & Industry, Udyog Bhawan, New Delhi – 110011.
7. P.S. to the Chief Secretary to the Government of Meghalaya for kind information of the Chief Secretary.
8. All Additional Chief Secretaries/Principal Secretaries/Commissioner & Secretaries/Secretaries for favour of information.
9. All Deputy Commissioners for favour of information.
10. The Controller of Legal Metrology, Meghalaya, Shillong for favour of information.
11. The Deputy Secretary to the Govt. of Meghalaya, Labour Department for information.
12. The Director, Printing & Stationery, Meghalaya, Shillong for favour of publication in the next issue of Meghalaya Gazette.
13. The Senior Informatics Officer, NIC, Meghalaya with a request to upload in the Departmental website megweights.gov.in



Deputy Secretary to the Govt. of Meghalaya
Legal Metrology Department

LEGAL METROLOGY DEPARTMENT

Compliance based Inspection on Regulation of Licence Manufacturers, Dealers, Repairer and Importer of Weights and Measures

1. Computer allocates business establishments to be inspected by the Inspecting Officer and probable date of inspection
2. Controller approved and inform the Inspecting Officer the name of business Establishment and the date of Inspection
3. The Inspecting Officer inform the business Establishment the date of Inspection
4. The Inspecting Officer shall inspects the said Establishment on the designated date
5. The Inspecting Officer shall Inspect as per the checklist
6. The Inspecting Officer shall prepare the Inspection Report in prescribed Performa
7. The Inspecting Officer generates an Inspection Report with Unique ID number
8. The Inspecting Officer digitally signed the Inspection Report
9. The Inspecting Officer shall upload an Inspection Report unto the website within 48 Hours
10. The Inspecting Officer will inform the party about availability of the Inspection Report and its ID number on the website
11. The concerned party may download the Inspection Report from the Website

Checklist for Manufacturer

1. Validity of Licence
2. Valid Verification Certificate of Test weights.
3. Sale and Proceeds register
4. Numbers of weights and measures lying at the stock
5. Certificate of Skilled workers
6. Tools & Equipments
7. Model Approval Certificate

Checklist for Dealers & Importers

1. Validity of Licence
2. Valid Verification Certificate of Test weights.
3. Sale and Proceeds register
4. Numbers of weights and measures lying at the stock

Checklist for Repairer

1. Validity of Licence
2. Valid Verification Certificate of Test weights.
3. Register
4. Certificate of Skilled workers
5. Tools & Equipments

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INSPECTION REPORT ON COMPLIANCE BASE INSPECTION OF THE MANUFACTURER, IN
WEIGHTS AND MEASURES

Name & Address: _____

Name of the Proprietor: _____

- | | | |
|---|---|-------------------------|
| (1) Licence | - | Valid / invalid |
| (2) Model Approval Certificate | - | Yes / No |
| (3) Verification Certificate of test weights | - | Valid / Invalid |
| (4) Sales & Proceeds Register | - | Upto date/not upto date |
| (5) Nos. Of weights and measures lying in the.State | - | Valid / Invalid |
| (6) Skilled Labour | - | Yes / No |
| (7) Sufficient Tools & Equipments | - | Yes / No |

Remarks of Inspecting Officer:

Signature

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INSPECTION REPORT ON COMPLIANCE BASE INSPECTION OF THE DEALER IN WEIGHTS
AND MEASURES

Name & Address: _____

Name of the Proprietor: _____

- (1) Licence - Valid / invalid
- (2) Verification Certificate of test weights - Valid / invalid
- (3) Sales & Proceeds Register - Upto date/not upto date
- (4) Nos. Of weights and measures lying in the Stock - Valid / Invalid

Remarks of Inspecting Officer:

Signature

INSPECTION REPORT ON COMPLIANCE BASE INSPECTION OF THE REPAIRER IN WEIGHTS AND MEASURES

Name & Address: _____

Name of the Proprietor: _____

- (1) Licence - Valid / invalid
- (2) Verification Certificate of test weights - Valid / Invalid
- (3) Register - Upto date/not upto date
- (4) Skilled Labour - Yes / No
- (5) Sufficient Tools & Equipments - Yes / No

Remarks of Inspecting Officer:

Signature

LEGAL METROLOGY DEPARTMENT

Compliance based Inspection for Determination of Net Quantity / Content, Declaration of Packaged Commodities and Checking the accuracy of weights and measures used in the Business Establishment.

1. Computer allocates industrial / business establishments to be inspected by the Inspecting Officer and probable date of inspection
2. Controller approved and inform the Inspecting Officer the name of business Establishment and the date of Inspection
3. The Inspecting Officer inform the industry/ business establishment the date of Inspection
4. The Inspecting Officer inspects the industry/ business establishment on the designated date
5. The Inspecting Officer inspects the industry/ business establishment as per the checklist
6. The Inspecting Officer prepares an Inspection Report
7. The Inspecting Officer generates an Inspection Report with unique Id no.
8. The Inspecting Officer digitally signed the Inspection Report
9. The Inspecting Officer uploads Inspection Report unto the website within 48 hours
10. The Inspecting Officer inform about availability of the Inspection Report and its identification number, on the website
11. The concerned industry/ business establishment may download the Inspection Report from website.

Checklist

1. Check the Validity of Verification Certificate of all weights and measures.
2. Check the Registration Certificate as Manufacturer and Packers
3. Determine the Net Content of Packaged Commodity from the packing line or by taking sample from the Lot.
4. Check all the Mandatory Declaration of all the packages as prescribed under the Legal Metrology (Packaged Commodities) Rules.
5. Check all the Sealing of weighing and measuring instruments as prescribed under the Model Approval.
6. Check the Stamp of weights and measures
7. Conduct the different type of test of all weighing and measuring instruments as prescribed under the Legal Metrology (General) Rules, 2011 during inspection.

INSPECTION REPORT ON COMPLIANCE BASE INSPECTION OF THE LEGAL METROLOGY ACT/RULES IN RESPECT OF MANUFACTURER, PACKER, IMPORTER OF PACKAGED COMMODITIES & WEIGHTS AND MEASURES

Name of the Business Establishment: _____

Name of the Proprietor: _____

A. Compliance in weights and measures used in commercial transactions.

- (1) Verification Certificate of weights and measures - Valid / invalid
 - (2) Inspector Seals - Intact / Tampered
 - (3) Inspector Stamp - Valid / Invalid
 - (4) Accuracy - Within the MPE/Beyond the MPE
- (Test Report attached)

B. Determination of Net Quantity of Pre-packed Commodities.

- (i) Registration Certificate of Manufacturer, Packer : Yes / No
& Importer of Pre-packed Commodity.
- (ii) Mandatory Declaration : Yes / No
- (iii) Accuracy of Netweight / Content : Within the MPE/Beyond the MPE
(Result Data Sheet attached)

Remarks of Inspecting Officer:

Signature

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THE SEVENTH SCHEDULE

FORM A

Weight Checking - Data Sheet

A Particulars of Package		Name of Manufacturer / Packer			
		Address	Price	Month	Year
B Commodity Classification		1[Lot Size : Sample Size : Maximum permissible error (g)]			
C		Sample Gross Tare Net	Remarks		
		No.	Weight	Weight	Weight /error
Weight Checking Data		1			
		200			
D Results		Declared Wt.	Avg.		
			Wt.		
E GENERAL COMMENTS WITH REGARD TO THE COMPLIANCE WITH THE ACT AND THE RULES MADE THEREUNDER					
F		Signature and name of the authorized person		Signature and name of manufacturer/ Packer authorized by manufacturer or any competent witness	
				Place:	
				Designation:	
				Name:	
				Time:	
Note: If the data sheet runs into more pages than one, the each continuation sheet shall bear the signatures specified in Part F.					