

Inspection Procedure under Legal Metrology Act, 2009/J & k Standards of Weights and Measures (Enf) Act,1997

A Legal Metrology Officer (Jt. Controller/Asst Controller/Inspector) may visit, as frequently as possible, every premises within his local limits and enter into any such premises and inspect any weight, measure or other goods in relation to which trade and commerce has taken place or is intended or likely to take place or such weight or measure is being or likely to be used for protection. Inspections are carried by the LMO either with his team alone or as a Squad or as joint raids. In all types of inspections, after entering into trading premises, an LMO should disclose his/ her identity to the person in-charge of the premises. However, where disclosure of identity hampers the merit of the inspection, identity should be disclosed at a proper time only. If an obstruction is created by the trader, the LMO should seek assistance of local Police and report the same to the higher authority. If the inspection discloses that an offence has been committed by a trader, a seizure memo (Format set by the Department), complete in all respects, should be issued by LMO on the spot and a copy of the said seizure memo should be handed over to the trader so inspected. Seizure memo should contain, among other things, details of the articles seized by the LMO along with the reasons for doing so in common language. The name and address of the erring trader may be ascertained meticulously by scrutinizing at the premises the available documents (licences/registrations etc issued by Govt/semi-Govt departments). Inspections are carried out either on complaint basis or suo-motu in order to ensure compliance to various provisions of the Act/Rules. Search or seizure is made in accordance with the provisions of Code of Criminal Procedure.