

News Letter: 03 dated 01.01.2011

The Legal Metrology (General) Rules, 2010 (DRAFT)

New wine in an old bottle – with some evaporation.

The Legal Metrology (General) Rules, 2010 has been mailed to States for their comments and views. The draft Rule, prepared in haste, contains a number of errors, mainly in the list of schedules. It is very difficult to understand whether the omissions are intended or mere typographical error during the cut and paste operation from the previous SoWM (general) Rules of 1987.

Inclusions are

1. Notification No. 199(E) dated 31.03.2005. (verification procedure for CNG)
2. Notification no GSR 151(E) dated 4th March, 2009. (Dynamic measuring systems for liquids other than water.)
3. Clinical electrical thermometers with maximum device.

Exclusions are

1. Instruments listed under Schedule VII Heading A of the SoWM (General) Rules, 1987. Steel yards, Platform weighing instruments. Spring balances, Weighbridges, Crane weighing machine, Person weighing machines, Totalising weighing machines, Baby weighing machines and Wheel weighers.
2. Instruments listed under Schedule IX (Kitchen scales, Tubular balances and Bathroom scales).

Revision

Part VIII of Schedule VIII (Manometers: Instrument for measuring arterial blood pressure (Sphygmomanometers) is revised. It now contains two types

- PART VIII-A: NON-INVASIVE MECHANICAL SPHYGMOMANOMETERS
- PART VIII-B: NON-INVASIVE AUTOMATED SPHYGMOMANOMETERS

Salient Features

- Specifications of Reference, Secondary and Working Standards of weights and measures provided in the Rule.
- Registration of users of weights and measure omitted.
- Rule 15 regarding Verification and inspection of weights and measures, Rule 16 regarding Stamping of weights and measures and Rule 17 regarding Fees for verification from the 87 Rules now shifted to the State Enforcement Rules.
- Chapter V, including Rule 15 on Registration of importer of weights and measures and Rules 16 to 20 setting conditions for manufacturing non-standard weight or measure exclusively for export, introduced.
- System of issuing permission for manufacturing non-standard weights or measure exclusively for scientific use introduced vide Rule 21.

Our Views

Legal Part

- **The Central Government is not empowered to make Rules on registers and records to be maintained by manufacturers, dealers and repairers under S 52(2) of the Act. It is State subject under Section 53(2)(b). Then there is no place for Rule 24.**
- **As per Rule 26 of the State Enforcement Rules, the fees for appeal to the Controller are ₹200 and to the State Government is ₹500. Then why the Schedule XII sets it at ₹100 and ₹200 respectively?**

Technical Part

- (1) **Weighing instruments listed previously under Heading A of Schedule VII have been omitted in the revised Schedule VII. It appears that those items are not treated separately but as devices to be included under the general category of Non-automatic Weighing Instrument**

Far enough. But, construction details of these instruments are different and their performance depends on the design, manner of use and installation. Omission of such details will make the task of Legal metrology Officers harder. Consider the case of weighbridge. The foundations of any weighbridge are crucial to their performance. It is of little use having the most accurate load cells and well designed weighbridge structure if the foundations are unlevelled or unstable.

They should have adopted OIML R 134-1 Edition 2003.

- (2) **Load Cells have not been included under the revised Schedule VII. Now-a day they are extensively used in NAWIs.**

- (3) Test Procedures for any type of instruments have not been included. In absence of any authorised directive it may lead to chaos.**
- (4) Consequently, no Test Report has been included. This is a blow to fairness and transparency to the users of weights and measures. LMOs are free to declare an instrument unfit for certification without any accountability.**
- (5) It is strange that more recent OIML Recommendations, namely, R 76-1, Edition 2006 (E) on Non-automatic Weighing Instruments, no 117-1 (E) of 2007 on Dynamic measuring systems for liquids other than water and R 111-1 Edition 2004 (E) on Weights have not been adopted to favour decade old versions.**

COMING ISSUE:

Meters for liquids (Other than water)

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