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**STANDING COMMITTEE ON CONSUMER AFFAIRS, FOOD
AND PUBLIC DISTRIBUTION (2023-2024)**

SEVENTEENTH LOK SABHA

**MINISTRY OF CONSUMER AFFAIRS, FOOD
AND PUBLIC DISTRIBUTION
(DEPARTMENT OF CONSUMER AFFAIRS)**

THIRTY NINTH REPORT

on

**Regulation of Weights and Measures with specific reference to Dispensing
Machines at Fuel Stations**



**LOK SABHA SECRETARIAT
NEW DELHI**

February, 2024/ Magha, 1945 (Saka)

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AND PUBLIC DISTRIBUTION (2023-2024)

(SEVENTEENTH LOK SABHA)

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
(DEPARTMENT OF CONSUMER AFFAIRS)

Regulation of Weights and Measures with specific reference to Dispensing Machines
at Fuel Stations

Presented to Lok Sabha on 07 February, 2023

Laid in Rajya Sabha on 07 February, 2023



LOK SABHA SECRETARIAT
NEW DELHI

February, 2024/ Magha 1945 (*Saka*)

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Composition of the Standing Committee on Consumer Affairs, Food and Public Distribution (2022-23)

MEMBERS

Lok Sabha

1. Mrs. Locket Chatterjee - Chairperson
2. Dr. Farooq Abdullah
3. Shri Sudip Bandyopadhyay
4. Shri Shafiqur Rahman Barq
5. Shri Gangasandra Siddappa Basavaraj
6. Km. Debasree Chaudhuri
7. Shri Anil Firojiya
8. Shri Rajendra Dhedya Gavit
9. Shri Sanganna Amarappa Karadi
10. Shri Khagen Murmu
11. Shri Mitesh Rameshbhai Patel
12. Shri Subrat Pathak
13. Shri Ganesan Selvam
14. Dr. Amar Singh
15. Smt. Himadri Singh
16. Smt. Kavita Singh
17. Shri Nandigam Suresh
18. Shri Saptagiri Sankar Ulaka
19. Shri Rajmohan Unnithan
20. Shri Vaithilingam Ve.
21. Shri Faizal P.P. Mohammed @@

Rajya Sabha

1. Shri Satish Chandra Dubey
2. Dr. Fauzia Khan
3. Shri Baburam Nishad
4. Shri Rajmani Patel
5. Shri Sakaldeep Rajbhar
6. Dr. Anbumani Ramadoss
7. Shri C. Ve Shanmugam
8. Shri Harbhajan Singh
9. Ms. Dola Sen*
10. Dr. Ashok Bajpai@

Committee constituted *vide* Bulletin Part II, Para No.5293 w.e.f. 13 September, 2022

*Nominated *vide* Bulletin Part II, Para No.5313 w.e.f. 12 October, 2022

@Nominated *vide* Bulletin Part II, Para No.5745 w.e.f. 16 December, 2022

Shri Girish Bhalchandra Bapat Passed away on 29.3.2023

@@ Nominated on 16.8.2023

Composition of the Standing Committee on Consumer Affairs, Food and Public Distribution (2023-24)

Smt. Locket Chatterjee - Chairperson

MEMBERS

Lok Sabha

2. Dr. Farooq Abdullah
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7. Shri Faizal P.P. Mohammed
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11. Shri Subrat Pathak
12. Smt. Himadri Singh
13. Smt. Kavita Singh
17. Shri Nandigam Suresh
18. Shri Saptagiri Sankar Ulaka
19. Shri Rajmohan Unnithan
20. Shri Vaithilingam Ve.
21. Vacant

Rajya Sabha

22. Shri Satish Chandra Dubey
23. Dr. Fauzia Khan
24. Shri Rajmani Patel
25. Shri Sakaldeep Rajbhar
26. Dr. Ashok Bajpai
27. Shri Baburam Nishad
28. Shri C. Ve Shanmugam
29. Shri Prakash Chik Baraik
30. Vacant
31. Vacant

LOK SABHA SECRETARIAT

1. Dr. Ram Raj Rai - Joint Secretary
2. Dr. Vatsala Joshi - Director
3. Dr. Mohit Rajan - Deputy Secretary
4. Shri Abdul Khan - Assistant Executive Officer

INTRODUCTION

I, the Chairperson of the Standing Committee on Consumer Affairs, Food and Public Distribution (2023-24) having been authorized by the Committee to present the Report on their behalf, present this Thirty Ninth Report on the subject, 'Regulation of Weights and Measures with specific reference to Dispensing Machines at Fuel Stations' pertaining to the Ministry of Consumer Affairs, Food and Public Distribution (Department of Consumer Affairs).

2. The subject was selected by the Committee for examination and report. The Committee was briefed on the subject by the representatives of the Ministry of Consumer Affairs, Food and Public Distribution (Department of Consumer Affairs) on 26.07.2023. Oral evidence of the representatives of the Department of Consumer Affairs was held on 12.12.2023.

3. The Committee wish to express their thanks to the Officers of the Ministry of Consumer Affairs, Food and Public Distribution (Department of Consumer Affairs) for placing before them the detailed written notes on the subject and for furnishing the information to the Committee, desired in connection with the examination of the subject.

4. The Report was considered and adopted by the Committee at their sitting held on 06.02.2024.

5. For facility of reference and convenience, the Observations/Comments of the Committee have been printed in bold font in Part II of the Report.

New Delhi;
06 February, 2024
17 Magha, 1945 (Saka)

LOCKET CHATTERJEE,
Chairperson,
Standing Committee on
Consumer Affairs, Food and Public Distribution

PART I

CHAPTER I

Introductory:

(i) An Overview of Department of Consumer Affairs:

1.1 The Department of Consumer Affairs (DoCA) is one of the two Departments under the Ministry of Consumer Affairs, Food & Public Distribution. The mandate of the Department is consumer advocacy. India was pioneer in consumer advocacy with the Consumer Protection Act (CPA), a path breaking legislation at the time, enacted in 1986 and the establishment of a separate Government Department dedicated to consumer affairs as early as in 1997. The new Consumer Protection Act, 2019 came into force on July 20th, 2020 in India, replacing the previous enactment of 1986. The new Act overhauls the administration and settlement of consumer disputes in India. It provides for strict penalties, including jail terms for adulteration and for misleading advertisements. More importantly, it now prescribes rules for the sale of goods through e-commerce. Translating this mandate into action entail:

- Enabling consumers to make informed choices;
- Ensuring fair, equitable and consistent outcomes for consumers; and
- Facilitating timely and effective consumer grievance redress

(ii) Legal Metrology:

1.2 As per the Annual Report (2022-23) of DoCA, Legal Metrology (Weights and Measures) Laws form the basis of commercial transaction in any civilized society. To ensure accuracy of measurement in such transaction, the Government has enacted legislation namely, the Legal Metrology Act, 2009 (1 to 2010). The said Act is unified act of two repealed acts namely the Standards of Weights & Measures Act, 1976 & the Standards of Weights & Measures (Enforcement) Act, 1985. The Legal Metrology Act, 2009 has come into force with effect from 1st April, 2011.

(iii) Attached Offices:

1.3 The Committee were informed that there are two types of attached offices:

(a) **Regional Reference Standard Laboratories (RRSLs)** are set up to meet the Legal Metrology requirements of the State Governments, Industries and Consumers in the country. There are six RRSLs, situated at Ahmedabad, Bangalore, Bhubaneswar, Faridabad, Guwahati and Varanasi. The Regional Reference Standards Laboratories serve as a link between the National Physical Laboratory and the States Weights & Measure laboratories to ensure the correct weighment and measurement in trade and transaction. One new RRSL is being established at Nagpur. Regional reference Standards Laboratories and Indian Institute of Legal Metrology, Ranchi are accredited by National Accreditation Board of Laboratories (NABL). All the subordinate offices (RRSLs & IILM, Ranchi) and Legal Metrology Division of the Department have already been certified by ISO 9001.

(b) **Indian Institute of Legal Metrology, Ranchi** is the National Centre for imparting professional training to the Legal Metrology officers. It also provides training to the foreign participants of the neighboring /developing countries. This is a residential training institute and having an approximate area of 17 acres. It has all the facilities for organizing training and seminars. The institute offers the Basic Training Course in the field of Legal Metrology to the Legal Metrology Officers which is mandatory. The said course imparts knowledge pertaining to the Legal Metrology Act and Rules and their implementation in the field. Apart from this it organizes various refresher courses and seminars on Legal Metrology on a regular basis. In a calendar year approximately 200 officials of Legal Metrology of different States and UTs are being trained by IILM. There are good laboratory and hostel facilities in the premises.

CHAPTER II

WEIGHTS AND MEASURES FRAMEWORK

(I) Historical Background of Weights and Measures Law in India

2.1 The Committee asked the DoCA to furnish the details regarding historical background of weights and measures in India. In response, in their written replies submitted to the Committee, the DoCA informed that the history of weights and measures laws in India is quite ancient, spanning back thousands of years. The region has a rich tradition of trade and commerce, and accurate measurements have always been essential for fair trade, economic stability, and social order. Historical background of weights and measures regulations in India is as follows:

(a) **Indus Valley Civilization (3300–1300 BC):** The Indus Valley Civilization, one of the world's ancient urban civilizations, had a well-organized system of weights and measures. Archaeological findings include standardized weights made from materials like terracotta, stone, and ivory, suggesting a structured trade system.

(b) **Mauryan Empire (322–185 BC):** Under the Mauryan rulers, India saw advancements in the standardization of weights and measures. Emperor Ashoka's inscriptions mention the establishment of "thanas" or local offices to ensure the accuracy of measurements and regulate trade.

(c) **Gupta Empire (320–550 AD):** During the Gupta period, the practice of using standardized weights and measures continued. The Gupta kings issued coins with precise weights, contributing to uniformity in trade.

(d) **Medieval Period:** Various Indian dynasties, including the Cholas, Rajputs, and Mughals, had their own systems of weights and measures. The Mughal rulers, in particular, took interest in standardizing measures, leading to the creation of the "Mughal yard" and "Mughal pound."

(e) **Colonial Era (17th–19th centuries):** With the advent of European colonial powers, trade relations and measurements underwent significant changes. The British East India Company introduced its own systems of measurement to facilitate trade and taxation. Efforts to standardize measurements were made to enhance administrative efficiency.

(f) **British Raj and Metric System (19th–20th centuries):** The British colonial administration introduced the British Imperial System of weights and measures, which had a significant impact on India's trade practices. However, there were inconsistencies and disparities in measurement units across different regions.

(g) **Later, in the mid-20th century and Post-Independence and Modern Era,** there was a push to adopt the metric system, which was internationally recognized and standardized. India officially adopted the metric system in 1956 through the Metrication Act, aiming to bring uniformity and accuracy to measurements.

After gaining independence in 1947, India continued to refine and strengthen its weights and measures regulations. The Legal Metrology Act, 2009 established the legal framework for regulating weights, measures, and other goods sold or distributed by weight, measure, or number. It aimed to ensure accuracy, transparency, and consumer protection.

In recent years, India has focused on modernizing its metrology practices, ensuring compliance with international standards, and enhancing consumer awareness about their rights in terms of accurate measurements. The State Legal Metrology Departments are responsible for implementing and enforcing weights and measures laws in the country.

(h) The Legal Metrology Act, 2009 is enacted under Entry 50 of List-I (Union List) 'Establishment of standards of weight and measure' and under Entry 33-A of List-III (Concurrence List) 'Weights and measures except establishment of standards' in the Seventh Schedule of the Constitution. The objective of the Act is to ensure public guarantee from the point of view of security and accuracy of the weighments and measurements and was enacted to establish and enforce standards of weights and measures, regulate trade and commerce in weights, measures and other goods which are sold or distributed by weight, measure or number. The Central Government and the State Governments are empowered to make Rules under section 52 and section 53 of the Act respectively.

(i) The Legal Metrology Act, 2009 (No. 1 of 2010) (LM Act, 2009) came into force w.e.f. 1st April 2011 after repealing the Standards of Weights and Measures Act, 1976 (No. 60 of 1976) and the Standards of Weights and Measures (Enforcement) Act, 1985 (No. 54 of 1985).

2.2 While acknowledging the crucial role of Accurate measurements in the fuel industry and the importance of accurate measurements in fuel industry is paramount, the Committee asked DoCA to highlight the importance of accurate measurements in fuel industry, it was informed as follows:

“(a) **Economic Impact:** The fuel industry is a multi-billion-dollar global industry. Accurate measurements are essential to ensure fair and precise transactions between suppliers, distributors, and consumers. Inaccurate measurements can lead to financial losses, disputes, and legal issues.

(b) **Fair Trade:** Accurate measurements promote fair trade by ensuring that buyers receive the quantity of fuel they are paying for. It prevents instances of fraud where suppliers might try to deliver less fuel than paid for.

(c) **Safety:** Accurate measurements are critical for safety in the fuel industry. Overfilling fuel storage tanks or transporting excessive amounts of fuel can lead to spillage, leakage, and potentially dangerous situations. Accurate measurements help prevent these incidents.

(d) **Environmental Protection:** Fuel spills and leakages can have severe environmental consequences. Accurate measurements help prevent fuel releases, minimizing the risk of soil and water contamination, which may harm ecosystems and human health. For petrol dispensing units the vapour recovery system is being installed to prevent the toxic fumes of petrol.

(e) **Efficient Operations:** Accurate measurements enable efficient operations in fuel refineries, storage facilities and distribution networks. Precise measurements help optimize production, inventory management, and transportation, leading to cost savings and reduced waste.

(f) **Compliance with Rules:** The fuel industry is heavily regulated to ensure safety, environmental protection and fair trade. Accurate measurements are often a requirement for compliance with regulatory

standards. Non-compliance can result in fines, penalties and reputational damage.

(g) **Consumer Trust:** Consumers expect to receive the quantity of fuel they pay for. Accurate measurements contribute to consumer trust in the industry, enhancing the reputation of fuel suppliers and distributors.

(h) **Data Analysis and Planning:** Accurate measurements provide valuable data for analysis and planning. Data on fuel consumption patterns, production yields, and distribution trends help companies make informed decisions to optimize their operations and business strategies.

(i) **Supply Chain Efficiency:** Accurate measurements are essential to maintain the efficiency of the fuel supply chain. Precise measurements help prevent shortages, excess inventory and supply chain disruptions. Therefore, accurate measurements are a cornerstone of the fuel industry, impacting economic, safety, environmental and regulatory aspects. They enable fair trade, efficient operations and informed decision-making, while also ensuring compliance with rules and maintaining consumer trust.”

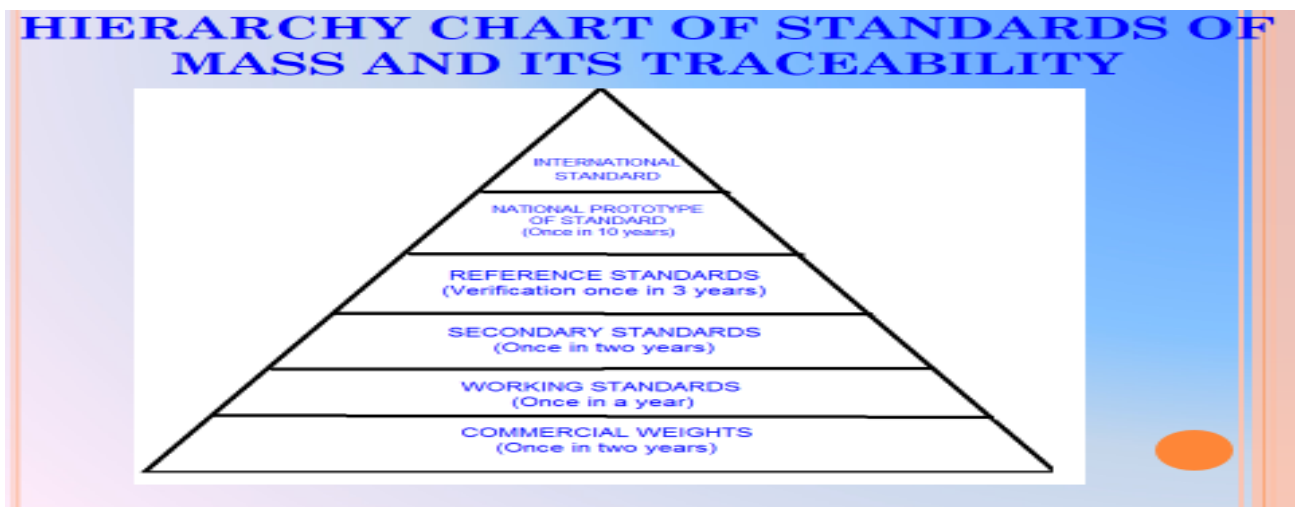
(II) LEGAL FRAMEWORK

2.3 The Committee were informed by the DoCA regarding Legal Framework that the Legal Metrology Act, 2009 is enacted under Entry 50 of List-I (Union List) ‘Establishment of standards of weight and measure’ and under Entry 33-A of List-III (Concurrence List) ‘Weights and measures except establishment of standards’ in the Seventh Schedule of the Constitution. The objective of the Act is to ensure public guarantee from the point of view of security and accuracy of the weighments and measurements and was enacted to establish and enforce standards of weights and measures, regulate trade and commerce in weights, measures and other goods which are sold or distributed by weight, measure or number. The Central Government and the State Governments are empowered to make Rules under section 52 and section 53 of the Act respectively.

2.4 LM Act 2009 is the primary instrument which establishes and enforces the standards of weights and measures and regulates trade in weights and measures in the country and is the foundation of most business activities in the country.

2.5 In their Background Note, DoCA further informed that the Act is having only 57 Sections. Section 1 to 3 under Chapter I of the Act provides the extent and commencement, definitions and overriding provisions of the Act. Section 4 to 12 under Chapter II, provides for units of weights & measures and standard weights & measures. Under Chapter III Section 13 to 23 the provisions for appointment and powers of Director, Controller and Legal Metrology officers are made. Chapter IV, Section 24 provides for verification and stamping of weight or measure. Section 25 to 47 of LM Act 2009 under Chapter V provides for various penalties by way of levy of fine in case of first offence. For second & subsequent offence depending on the nature of the offence (i) either imprisonment or fine or both or, (ii) both imprisonment and fine or (iii) only imprisonment is prescribed. Provision of Appeal is made under Section 50 of the Act. Provision for nominating one Director of the company who will be responsible by the company under Section 49 of the Legal Metrology Act is made.

2.6 Hierarchy of standard of weights and their traceability:



2.7 The DoCA further elaborated that the Wings of Legal Metrology: (Legal Metrology Division in the Department) Precision & accuracy in measurement plays very vital role in day to day life. A transparent and efficient legal metrology system inspires confidence in trade, industry & consumer and brings harmonious environment for conducting business by way of (i) contribution to the economy of the country by increasing the revenue in various sectors. (ii) playing important role in reducing the revenue losses in the coal, mines, industries, petroleum, railways. (iii) reduction of the loss and wastage in the infrastructure sector.

2.8 The work performed by the Legal Metrology Division therefore, is vital to the public interest. Within the Department the Legal Metrology Division is headed by Director, Legal Metrology. Director, Legal Metrology is a statutory authority with powers and responsibilities prescribed under the Legal Metrology Act, 2009 relating to inter-state trade and commerce of weights and measures including pre-packaged commodities. Director, Legal Metrology is also responsible for establishing standards of Legal Metrology and maintaining traceability of Standards relating to Legal Metrology. The primary responsibilities of the Director are in the nature of Regulation, Enforcement and Research. Regulation and Enforcement functions are to undertake technical field inspections, searches, seizures, registration of offices and launching prosecutions etc.

(A) Legal Metrology Act 2009 – Important Provisions

2.9 The Legal Metrology Act, 2009 has come into force w.e.f. 1st April, 2011. The Act comprises of 5 Chapters and 57 Sections.

The important Definitions under the Act are as under:

- (i) 2(f) "**label**" means any written, marked, stamped, printed or graphic matter affixed to, or appearing upon any pre-packaged commodity;
- (ii) 2(k) "**protection**" means the utilization of reading obtained from any weight or measure, for the purpose of determining any step which is required to be taken to safeguard the well-being of any human being or animal, or to protect any commodity, vegetation or thing, whether individually or collectively;
- (iii) 2(l) "**pre-packaged commodity**" means a commodity which without the purchaser being present is placed in a package of whatever nature, whether sealed or not, so that the product contained therein has a pre-determined quantity;
- (iv) 2(m) "**person**" includes,-
 - (i) a Hindu undivided family,
 - (ii) every department or office,
 - (iii) every organisation established or constituted by Government,
 - (iv) every local authority within the territory of India,

- (v) a company, firm and association of individuals,
- (vi) trust constituted under an Act,
- (vii) every co-operative society, constituted under an Act,
- (viii) every other society registered under the Societies Registration Act, 1860;

(v) 2(s) "**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 any stamp;

(vi) 2(t) "**stamp**" means a mark, made by impressing, casting, engraving, etching, branding, affixing pre stressed paper seal or any other process 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;

(vii) 2(u) "**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;

2.10 Provisions for Verification and stamping of weight or measure under Section 24 of the Act:

(1) Every person having any weight or measure in his possession, custody or control in circumstances indicating that such weight or measure is being, or is intended or is likely to be, used by him in any transaction or for protection, shall, before putting such weight or measure into such use, have such weight or measure verified at such place and during such hours as the Controller

may, by general or special order, specify in this behalf, on payment of such fees as may be prescribed.

(2) The Central Government may prescribe the kinds of weights and measures for which the verification is to be done through the Government approved Test Centre.

(3) The Government approved Test Centre shall be notified by the Central Government or the State Government, as the case may be, in such manner, on such terms and conditions and on payment of such fee as may be prescribed.

(4) The Government approved Test Centre shall appoint or engage persons having such qualifications and experience and collect such fee on such terms and conditions for the verification of weights and measures specified under sub-section (2) as may be prescribed.

(B) Rules under Legal Metrology Act

2.11 The Committee were apprised that the Central Government has made seven rules for the better implementation of the Act. The State Governments have also framed their Legal Metrology (Enforcement) Rules. The following Legal Metrology Rules have been framed under the Legal Metrology Act, 2009 for protection of consumer interest:

- a) The Legal Metrology (Packaged Commodities) Rules, 2011
- b) The Legal Metrology (General) Rules, 2011
- c) The Legal Metrology (Approval of Models) Rules, 2011
- d) The Legal Metrology (National Standards) Rules, 2011
- e) The Legal Metrology (Numeration) Rules, 2011
- f) The Indian Institute of Legal Metrology Rules, 2011
- g) The Legal Metrology (Government Approved Test Centre) Rules, 2013

2.12 The DoCA has further informed the Committee that Legal Metrology is the application of legal requirements to measurements and measuring instruments which help to ensure:-

- ✓ public guarantee from the point of view of security and accuracy of the weighments and measurements
- ✓ builds confidence in trade, industry & consumer and
- ✓ create harmonious environment for conducting business.

2.13 The Legal Metrology (General) Rules, 2011: Specifications for weighing and measuring instruments have been prescribed in the Legal Metrology (General) Rules, 2011 which include around 40 types of weighing and measuring instruments such as electronic weighing instruments, weighbridges, petrol pumps, water meter, sphygmomanometer (B P Meter), clinical thermometer etc. These weighing and measuring instruments are used by industries, traders, hospitals and various government and non-government organizations for the weighing and measuring purpose and the end results of the weighing and measuring are directly for the benefit of the common man. These weighing and measuring instruments are periodically verified by the State Government officers using the Standard Weights and Measures and the procedure prescribed in the Rules.

2.14 The Legal Metrology (Packaged Commodities) Rules, 2011:

- 'pre-packaged commodity' is defined under the Act as, 'a commodity which without the purchaser being present is placed in a package of whatever nature, whether sealed or not, so that the product contained therein has a pre-determined quantity'.
- As per the Legal Metrology (Packaged Commodities) Rules, 2011 certain mandatory declarations have to be made on every package, which are:
 - (i) *Name and address of the manufacturer/ packer/ importer;*
 - (ii) *Country of origin if imported*
 - (iii) *Common or generic name of the commodity contained in the package;*

(iv) Net quantity, in terms of standard unit of weight or measure or in number;

(v) Month and year of manufacture/ pack/ import;

(vi) Best before or use by date, month and year, in case of commodity becoming unfit for human consumption with time

(vii) Retail sale price in the form of Maximum Retail Price (MRP) Rs..... Inclusive of all taxes;

(viii) Unit sale price (w.e.f. 01.09.2023)

(ix) Consumer care details.

2.15 The Committee were apprised that the Rule 13 of the said Rules prescribes for statement of units of weight, measure or number for declaring the quantity of the commodities in terms of standard unit of weights and measures. Under the said Rules provisions are also made for inspection of quantity and error in packages at the premises of the manufacturer or packer and at the premises of the wholesale dealer or retail dealer. Provision is also made for the establishment of maximum permissible error on packages. The maximum permissible errors on net quantity declared by weight or volume are prescribed under First Schedule of the said Rules.

2.16 In their Background Note, the DoCA has further informed that under the Legal Metrology (Approval of Models) Rules, 2011, the Manufacturers/Importers of Weighing and Measuring equipment, which are prescribed under the Legal Metrology Act, 2009 and rules made there under, are required to take approval of the Government of India before manufacturing/import. Some of the equipment like cast iron, brass, bullion, or carat weight or any beam scale, length measures (not being measuring tapes) which are ordinarily used in retail trade for measuring textiles or timber, capacity measures, not exceeding twenty litre in capacity are not required to obtain Model approval.

2.17 The Legal Metrology (National Standards) Rules, 2011:

(i) Under the Rules there is provision of National Prototypes/various standards to be kept at National Physical Laboratory.

(ii) Reference Standards of weights and measures are kept at Regional Reference Standard Laboratories at Ahmedabad, Bangalore, Bhubaneswar, Faridabad, Guwahati and Varanasi.

(iii) Reference Standards are used for the verification of Secondary Standard Weights & Measures which are kept at State Government Laboratories.

(iv) The Working Standard Weights & Measures are available at the district level which are used for the verification of any weight or measure used by traders and manufacturers for the transaction and protection purposes. The Working Standard Weights & Measures are verified by the Secondary Standard Weights & Measures.

2.18 The Legal Metrology (Numeration) Rules, 2011: Under these rules the provision is made for making Numeration and the Manner in which numbers shall be written.

2.19 Indian Institute of Legal Metrology Rules, 2011: Indian Institute of Legal Metrology, Ranchi is the training institute under the administrative control of this Department, providing training in the field of Legal Metrology to the Legal Metrology Officers of States/ UTs/ Union of India. Under these rules provisions regarding courses to be imparted at the Institute, obligatory functions of the Institute, qualification of persons to be eligible for admission in the Institute are prescribed.

2.20 The Legal Metrology (Government Approved test Centre) Rules, 2013: The Government Approved Test Centre (GATC) Rules are framed for approval of GATCs established by the private persons for the verification of some of the weights and measures, in addition to verification done by the State Government Officers. The weights and measures prescribed under these rules for the verification by a GATC are:-

(i) Water meter, (ii) Sphygmomanometer, (iii) Clinical Thermometer, (iv) Automatic Rail Weighbridges, (v) Tape Measures, (vi) Non-automatic weighing instrument of Accuracy Class-III/ Class-III (upto 150kg), (vii) Load cell, (viii) Beam Scale, (ix) Counter Machine and (x) Weights of all Categories.

(C) The Legal Metrology Act 2009 vis a vis The Jan Vishwas (Amendment of Provisions) Act, 2023

2.21 The Legal Metrology Act, 2009 aims to establish standards for weights and measures and regulate trade and commerce concerning goods sold or distributed by weight, measure, or number. This Act plays a crucial role in safeguarding the rights of consumers and ensuring fair trade practices in India

2.22 The Committee note that in a significant legislative development, the JAN VISHWAS (AMENDMENT OF PROVISIONS) ACT, 2023 was passed. The aim of this Act is to enhance the ease of living and ease of doing business in India. Under this Act, amendments were also made to the Legal Metrology Act, 2009, which falls under the DoCA.

Some notable Amendments in the Legal Metrology Act 2009 stood as under:-

Section of the current Act	Offense	Penalties after amendment in Act
25	Penalty for use of non-standard weight or measure	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", the words "one lakh rupees and for the second offence with fine which may extend to two lakh rupees and for the third and subsequent offence, with fine which may extend to five lakh rupees.
27	Penalty for manufacture or sale of non-standard weight or measure	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", the words "one lakh rupees and for the second offence with fine which may extend to two lakh rupees and for the third and subsequent offence, with fine which may extend to four lakh

		rupees.
28	Penalty for making any transaction in contravention of prescribed standards	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, the words "fifty thousand rupees and for the second offence with fine which may extend to one lakh rupees and for the third and subsequent offence with fine which may extend to two lakh rupees.
29	Penalty for quoting or publishing non-standard units	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, the words "fifty thousand rupees for the second offence with fine which may extend to one lakh rupees and for the third and subsequent offence with a fine which may extend to two lakh rupees.
31	Penalty for non-production of documents	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, the words "twenty-five thousand rupees and for the second offence with fine which may extend to fifty thousand rupees and for the third and subsequent offence, with fine which may extend to one lakh rupees.
34	Penalty for sale or delivery of commodities by non-standard weight or measure	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, the words fine which may extend to twenty-five

		thousand rupees and for the second offence with fine which may extend to fifty thousand rupees and for the third and subsequent offence, with fine which may extend to one lakh rupees.
35	Penalty for rendering services by non-standard weight, measure, or number	In section 35, for the words "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", the words "fine which may extend to twenty-five thousand rupees and for the second offence with fine which may extend to fifty thousand rupees and for the third and subsequent offence, with fine which may extend to one lakh rupees" shall be substituted.

2.23 The Act significantly modifies penalties under the Legal Metrology Act, 2009, by replacing imprisonment with higher fines for various offenses related to non-standard weights, measures and units.

CHAPTER III

Dispensing Machines at Fuel Stations

(i) An Overview

3.1 As informed, there are following number of Retail Outlets of Oil Marketing Companies (OMCs) in the country as on 1.10.2023, the Storage facilities across the country:

Company	IOC	BPC	HPC	RIL	NEL	MRPL	NRL	Total
POL Terminals/ Depots (Nos.)	120	82	81	18	3	4	2	310

Details of outlets across the country (as on 1.10.2023)

Company	IOC	BPC	HPC	RIL	NEL	Shell	MRPL &Others	Total
Retail Outlets	36693	21331	21482	1603	6403	345	68	87925
SKO / LDO Agencies	3849	927	1638					6414

3.2 India is an International Organisation of Legal Metrology (OIML) member country and the recommendations made by OIML are adopted as per our requirements in the General Rules, as the manufacturing of these machines is as per international standards and therefore, technical specifications etc. are as per international standards.

3.3 The accuracy class of fuel dispensers for motor vehicles (other than LPG dispensers) as per rules is 0.5 and the Maximum permissible error is 0.5% for volumes not smaller than 2 litres and therefore, it becomes 25 ml for sale of 5 litre petrol/ diesel and for 2 litre it will be 10 ml [Part-2, Para 2(5)(i) of Part IV - measuring system for Liquids other than water in the Eighth Schedule - specifications for measuring instruments of the Legal Metrology (General) Rules, 2011].

3.4 For volumes smaller than two litres, and without prejudice to the above paragraph, the maximum permissible errors, positive or negative, on volume indications are specified in Table below [Part-2, Para 2(5)(ii) of Part IV - measuring system for Liquids other than water in the Eighth Schedule - specifications for measuring instruments of the Legal Metrology (General) Rules, 2011]:

TABLE

<i>Sr. No.</i>	<i>Measured quantity</i>	<i>Maximum permissible errors</i>
1	From 1 to 2 L	Value applied to 2 L (i.e. 10 ml)
2	From 0.4 to 1 L	Twice the value fixed in Para 5.3 (i.e. 1%) (4 ml to 10 ml)
3	0.2 to 0.4 L	Twice the value fixed in Para 5.3 (i.e. 1%) (applied to 0.4 L) (4 ml)
4	From 0.1 to 0.2 L	Quadruple the value fixed in Para 5.3 (i.e. 2%) (2ml to 4 ml)
5	Less than 0.1 L	Quadruple the value fixed in Para 5.3 (i.e. 2%) (applied to 0.1 L) (2ml)

3.5 However, whatever the measured quantity may be, the magnitude of the maximum permissible error is given by the greater of the following two values:

(a) absolute value of the maximum permissible error given in Para 2(5)(i) or Para 2(5)(ii) as above in Para 5.1 and 5.2

(b) minimum specified volume deviation.

(i) For minimum measured quantities greater than or equal to two litres, the minimum specified volume deviation (E_{\min}) is given by the formula:

$$E_{\min} = (2 V_{\min}) \times (A/100)$$

where

V_{\min} is the minimum measured quantity,

A=0.5 (for petrol/ diesel dispensing units)

(ii) For minimum measured quantities less than two litres, the minimum specified volume deviation is twice the value specified in Para 5.4 [Part-2, Para 2(5)(ii) of Part IV - measuring system for Liquids other than water in the Eighth Schedule - specifications for measuring instruments of the Legal Metrology (General) Rules, 2011].

3.6. The Committee were apprised that a round table workshop on “measurement of petroleum products and related issues” was held on 09.06.2023 under the chairmanship of Shri Rohit Kumar Singh, Secretary, Department of Consumer Affairs at Vigyan Bhawan, New Delhi. The workshop was participated by all the stakeholders’ viz. representatives of Oil Marketing Companies, representatives of the Petroleum Dealers Associations, Controllers of Legal Metrology of all States/ UTs, representative of C-DAC and FCRI etc. Various issues of the Petroleum Retail Outlet Dealers were resolved during the workshop.

3.7. The Committee were also informed that the DoCA had held a meeting with Petroleum Dealers Associations, Oil Marketing Companies and State Legal Metrology Departments of Andhra Pradesh, Karnataka, Kerala and Tamil Nadu on 29.9.2023 at Vishakhapatnam to discuss and resolve the issues of petroleum dealers and to ensure the correct quantity to the consumers.

3.8. It was further brought to the notice of the Committee that for calibration of depot towers a standard operating procedure (SoP) for the whole country prepared by the Petroleum Dealers Association has been circulated to all OMCs for uniformity.

3.9 Regarding Marketing Discipline Guidelines (MDG) pertaining to Dispensing Machines at Retail Outlets, the Committee were informed that in order to ensure effective management of retail networks and establish elevated benchmarks for customer service within the dealer network, Oil Marketing Companies have developed Marketing Discipline Guidelines (MDG). These Guidelines were initially formulated in 1981-82 and have undergone subsequent revisions to align with evolving market conditions. The most recent modification to MDG was implemented on November 30, 2022.

3.10 Procedure for handling of products at retail outlet by dealers: It will be the responsibility of the Dealers to sell product of correct Quality and Quantity and provide excellent customer service.

3.11 Quantity:

a) The dealer shall check on daily basis the Weights & Measures Dept. seal of the Metering Unit / Totaliser of the dispensing units for correctness and also that Weights & Measures certification for the unit is valid. In case W&M / totaliser seals are found tampered, sales through the concerned dispensing unit should be suspended forthwith and matter reported immediately to controlling oil company office. Sales to remain suspended till the seals are replaced.

b) Dealer to keep a standard 5 litre measure duly verified by the Weights & Measures Department for exclusive use of pump testing at the retail outlet.

c) All measures used for dispensing bulk lube oil in the pump island and service bays must be duly stamped by Weights & Measures Department.

d) It is the responsibility of the dealer to ensure correct supply of fuel to the customers all the time. All the nozzles of the Dispensing units should be checked for correct delivery on daily basis before commencement of sales. The quantity used for testing to be recorded in the stock register. In case of variation in delivery of dispensing units, the same should be immediately notified to Weights & Measures Department, as also to the Controlling Oil Company Office. Re-stamping will be done by the Weights & Measures Department. Until re-stamping is carried out and delivery is set right, the dealer should not operate the Dispensing unit.

e) Dealer to carry out visual checks on a daily basis for any leaks in pump, delivery hose/nozzle. Such leaks, if any, must immediately be reported to the concerned Oil Company for rectification.

f) Dealer to ensure that after each delivery from the pump, the pump meter is brought back to zero before commencing the next delivery. A message to this effect should be displayed on each pump unit and the 'Zero' setting should be shown to the customer, before start of each delivery by the pump attendant.

3.12 Observance of statutory and other regulations: All statutory rules and regulations in connection with storage and sale of petroleum products must be followed and implemented, such as maintaining stock / sales & density records, display of daily stock, price board etc.

3.13 Customer Services and general amenities to be provided by the dealer : Retail Outlet Dealer should ensure quality product at correct quantity and correct price.

3.14 Maintenance of company equipments at Retail Outlets: Dispenser maintenances are governed by clauses of Marketing Discipline Guidelines.

3.15 The Committee were informed that Currently OMCs have Comprehensive Annual Maintenance contracts with Original Equipment Manufacturers (OEM) for Dispenser maintenance. OEMs maintain the dispensing units as per the terms and conditions of contracts placed and governed by the repair licenses issued by State Legal Metrology.

3.16 Rectification of Defects in Dispensing units/Pipeline/ Tanks : Dispensing Units Calibration – If the pump is delivering short / excess, the Company's Maintenance Representative / Dealer should immediately arrange for recalibration with the help of the Weights & Measures Inspector. In case the Weights & Measures Department seal is found to be broken, the Oil Company's Maintenance Representative shall inform the concerned Company Official for further action and incorporate the same in the Pump maintenance Report which should be duly signed by the dealer as well.

3.17 Short Delivery of Products : The Committee were informed that with Weights & Measures Department Seals intact, Sales through the concerned dispensing unit to be suspended forthwith and recalibration and re-stamping to be done before recommencement of sales. (Even if short/excess delivery is found within permissible limit, recalibration and re- stamping to be done before recommencement of sales).

With Weights & Measures department Seals tampered, W&M department seals are put on Metering unit and Totaliser unit with the help of a sealing wire and a lead seal which is embossed by W&M inspector. The seal would be deemed tampered in the following cases also:

- (i). Seal itself is missing

- (ii). Different seal has been put other than embossed by W&M inspector
- (iii). Sealing wire is broken and not in one piece.

In addition, other situations which can lead to manipulation of delivery/quantity / totaliser may also be treated as tampering. In such cases, views and opinion of W&M authorities would be obtained and the opinion rendered by the W&M department should be final. Based on the opinion of the W&M authorities, Penal action to be taken even if the delivery is found to be correct or excess.

In case of this irregularity, sales from the concerned dispensing unit to be suspended, DU sealed. Samples to be drawn of all the products and sent to lab for testing.

3.18 The Committee were apprised that Totalizer Seals found Tampered with Totaliser seals will also be construed as tampered if it allows manipulation of Totaliser reading; deliberately making the Totaliser non-functional or not reporting to the OMC if Totaliser is not working. In such cases, views and opinion of W&M authorities would be obtained and the opinion rendered by the W&M department should be final. In case of this irregularity, sales from the concerned dispensing unit to be suspended & DU sealed. Samples to be drawn of all the products and sent to lab for testing.

3.19 Additional/ Unauthorised Fittings/ Gears found in Dispensing Units/ Tampering with Dispensing Unit : The Committee were informed that any mechanism / fittings / gear found fitted in the dispensing unit which is likely to manipulate the delivery. Addition, Removal, replacement or manipulation of any part of the Dispensing Unit including any mechanism, gear, microprocessor chip/ electronic parts/ OEM software will be deemed as tampering of the dispensing unit. In such cases, views and independent opinion of the original equipment manufacturer would be obtained and suitable decision taken. In case of this irregularity, sales from the concerned dispensing unit to be suspended, DU sealed. Samples to be drawn of all the products and sent to lab for testing.

3.20 Non-Maintenance of Specified Records: Dealers are required to maintain various records including the following. Non-maintenance of below mentioned records will be treated as an irregularity.

- i. Daily sales register of OMC & Density register for current and previous financial years.
- ii. Pump maintenance records for current and previous financial years.
- iii. Inspection record for previous five years
- iv. Purchase Invoices & sales bills for the current and previous financial years
- v. Selling license, Explosives License and such other licenses which are needed for continued operation of the RO
- vi. Any other record as specified by OMCs in writing.

3.21 Action to be taken by OMC under the Marketing Discipline Guidelines : The Committee were informed that all irregularities (mentioned above) are classified into three categories, i.e. Critical, Major and Minor and details like list of such irregularities, Penal action in first, second, third and subsequent instances, process to be followed, competent authority and appellate proceedings are covered under MDG.

(ii) **Verification, Stamping & Declaration of Dispensing Machines**

3.22 The DoCA in a presentation to the Committee as follows:

" **Verification**", with its grammatical variations and cognate expressions, includes, in relation to any weight or measure, the process of comparing, checking, testing or adjusting 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 also includes re-verification and calibration;



Mandatory declarations of dispensing unit are given on the plate fixed on the machine

YOUR BRAND NAME		The Legal Metrology Act 2009 & Legal Metrology General Rule 2011	
MODEL NO.		CLASS	XII (0.5)
SR. NO.		MAX.	
TEMP. RANGE	-10°C to 40°C	MIN.	
VOLTS	AC 230 V ± 10% 50 Hz	e	
Approval Mark INDI/00/00/000 (Check Weigher)			
Your Company Name, Address			

142584 NP

3.23. The DoCA vide their representatives apprised the Committee :

“... Further, all dispenser configurations are tested thoroughly for software and hardware integrity and security features at CDAC (Centre for Development of Advanced Computing, Government of India) before deployment in Retail Outlets. CDAC is the premier R&D organisation of the Ministry of Electronics and Information Technology (MeitY) for carrying out R&D in IT, Electronics, and associated areas.”

(iii) Fair Practices at Fuel Stations

3.24 Regarding fair practices at fuel stations in the country, the Committee were apprised by the DoCA that there were several challenges that authorities and stakeholders were facing in achieving this goal which *inter alia* include:

- (i) **Accurate Measurement:** Accurate measurement of the quantity of fuel dispensed is essential. Short-measurement, where customers receive less fuel than they paid for, may occur due to inaccurate or tampered dispensing equipment.
- (ii) **Tampering and Fraud:** Tampering with dispensing units to manipulate measurements by adjusting calibration settings, using illegal "chips," or other means to dispense less fuel than indicated.
- (iii) **Lack of Regular Inspections:** The frequent inspection and verification of fuel dispensing equipment by Legal Metrology/ Oil Marketing Companies may be challenging. Limited resources and oversight may result in irregular inspections, providing opportunities for unscrupulous practices.

(iv) **Consumer Awareness:** Many consumers lack awareness about their rights and the proper way to verify measurements and fuel quality. This makes them vulnerable to unfair practices.

(v) **Remote Monitoring Difficulties:** Monitoring fuel stations, especially in remote or rural areas is challenging and may lead to decreased vigilance and accountability.

(vi) **Technological Advancements:** While technology can improve transparency, it may also lead to more sophisticated methods of tampering and manipulation which needs to be monitored.

(vii) **Complex Supply Chain:** Ensuring fair practices extends beyond fuel stations to the entire supply chain. Illicit activities may occur at any point, from production to distribution.

3.25. Asked about the specifications of fuel dispensers, the DoCA replied:

“The fuel dispensers are manufactured based on the specifications as per the International Standards provided by the International Organization of the Legal Metrology, the Legal Metrology (General) Rules, 2011 and as per the specifications provided by the OMCs.”

3.26. As regards the average length of the fuel dispensing pipes, the DoCA informed the Committee:

“The fuel dispensing pipes are designed to connect the dispensing machines with consumer’s fuel tank, which is generally upto 5 metre. However, the average length may vary depending on several factors, including the design of the fuel station, the location of the dispensers, and the layout of the facility”.

(iv) Specifications for Weighing & Measuring Instruments

3.27 The Committee were informed regarding specifications for weighing and measuring instruments which have been prescribed in the Legal Metrology (General) Rules, 2011 comprising around 40 types of weighing and measuring instruments including petrol pumps. These weighing and measuring instruments were used by industries, traders, hospitals and various government and non-government organizations for the weighing and measurement purpose and the end results of the

weighing and measuring were directly for the benefit of the common people. These weighing and measuring instruments were being periodically verified by the State Government officers using the Standard Weights and Measures and the procedure prescribed in the Rules.

3.28 On being enquired regarding the Committee further enquired regarding the details of the weighing and measuring instruments included in Legal Metrology (General) Rules, 2011 the DoCA apprised the Committee that the Legal Metrology (General) Rules, 2011 were being an important piece of legislation that lays down the rules related to weights and measures. These rules define the legal framework for various weighing and measuring instruments and their usage to ensure fairness and accuracy in trade transactions. The following were the weighing and measuring instruments covered under these rules:

S. No.	Weighing & Measuring Instrument
1	Reference Standard Weights
2	Reference Standard Metre Bar
3	Secondary Standard Weights
4	Secondary Standard Metre Bar
5	Secondary Standard Capacity Measures
6	Working Standard Weights
7	Working Standard Metre Bar
8	Working Standard Capacity Measures
9	Reference Standard Balances
10	Secondary Standard Balances
11	Working Standard Balances
12	Weights (Other than Carat Weights)
13	Carat Weights
14	Standard Weights for testing of High Capacity Weighing Machine
15	Liquid Capacity Measures
16	Dispensing Measures
17	Liquor Measures
18	Length Measures (Non-Flexible)
19	Folding Scales
20	Fabric or Plastic Tape Measure

21	Steel Tape Measures
22	Surveying Chains
23	Tapes for Use in Measurement of Oil Quantities
24	Specifications for non-automatic weighing instruments
25	Beam Scales
26	Counter Machines
27	Automatic Rail Weighbridge
28	Automatic Gravimetric Filling Instruments
29	Discontinuous Totalizing Automatic Weighing Instrument (Totalizing Hopper Weighers)
30	Volumetric Container Filling Machines
31	Bulk Meters
32	Water Meters
33	Measuring Systems for Liquids Other than Water
34	Volumetric Container Type Liquid Measuring Device
35	Clinical Thermometer
36	Monometers of Instruments for Measuring Arterial Blood Pressure (Sphygmomanometers)
37	Taximeter
38	Compressed gaseous fuel (CNG) measuring systems for vehicles
39	Calibration of Vehicle Tanks for Petroleum Products and other Liquids
40	Method for Calibration of Vertical Oil Storage Tanks

(v) Technological Advancements and Impact

3.29 The Committee enquired about the advancements in technology and the impact on weighing and measuring instruments and potential future developments and areas of improvement in the regulatory landscape over the last 10 years. In response, the Committee were informed at that the advancements in technology have significantly impacted weighing and measuring instruments in India over the last decade. These advancements have improved accuracy, efficiency and transparency in trade transactions. Some key developments and potential future directions in the regulatory landscape of weighing and measuring instruments were:

(i) **Digital and Electronic Weighing Scales:** Traditional mechanical weighing scales have been largely replaced by digital and electronic scales. These scales offer higher precision, ease of use and features like automatic taring and data logging etc.

(ii) **Integration with wireless technology:** Many modern weighing and measuring instruments can be integrated through Bluetooth or other wireless technologies. This allows for remote monitoring, data storage and real-time tracking of measurements.

(iii) **RFID Technology:** Radio Frequency Identification (RFID) technology has been integrated into measuring instruments, enabling automated identification and data capture. This enhances traceability and reduces manual data entry errors.

(iv) **Cloud-Based Solutions:** Cloud technology has enabled the storage and analysis of measurement data in a centralized manner. This is particularly useful for businesses with multiple locations or those needing historical data for analysis.

(v) **Blockchain for Traceability:** Blockchain technology has the potential to enhance the traceability and transparency of supply chains, ensuring that measurements are accurate and tamper-proof.

(vi) **Remote Calibration and Maintenance:** Some weighing instruments may be calibrated and maintained remotely, reducing downtime and the need for physical intervention.

3.30 Regarding Potential Future Developments and Areas of Improvement, the DoCA apprised the Committee that Industries may use the advance technology for the improvement of weighing & measuring instrument. Few of them are:

(i) **IoT Integration:** Internet of Things (IoT) integration may enable real-time monitoring and control of weighing and measuring instruments, improving efficiency and reducing errors.

(ii) **Data Analytics:** Advanced data analytics may provide insights into measurement trends, allowing businesses to optimize processes and predict maintenance needs.

(iii) **Machine Learning and AI:** These technologies may be used to identify patterns and anomalies in measurement data, leading to proactive maintenance and better accuracy.

(iv) **Mobile Apps for Consumers:** Mobile applications may empower consumers to verify measurements during transactions, increasing transparency and trust.

(v) **Enhanced Security Measures:** As technology advances, ensuring the security of measurement data against hacking and tampering becomes crucial and therefore, need enhanced security measures.

(vi) **Eco-Friendly Solutions:** Developments in materials and manufacturing processes may lead to more environmentally friendly weighing and measuring instruments.

(vii) **Standardization and Interoperability:** As various technologies are integrated into measurement instruments, ensuring interoperability and adherence to international standards becomes important.

(viii) **Education and Awareness:** Continued efforts to educate businesses, consumers and regulatory authorities about the benefits of accurate measurements and the proper use of advanced instruments are essential.

3.31 Regarding Regulatory Framework Modernization, the Committee were apprised by the Committee that over the last decade, there have been several areas of improvement and developments in the regulatory landscape of legal metrology in India. These improvements are aimed at enhancing consumer protection, ensuring accuracy in measurements and promoting fair trade practices.

(i) **Digitalization and Technology Adoption:** There has been a shift towards the adoption of digital solutions and technology for the process of verification, inspection and monitoring of weighing and measuring

instruments. Digital platforms and mobile applications have been explored to improve transparency and efficiency in regulatory processes.

(ii) **Online Registration and Licensing:** The introduction of online registration and licensing processes has simplified the application and renewal procedures for businesses involved in manufacturing, repair, and sale of weighing and measuring instruments.

(iii) **Standardization and Harmonization:** Efforts have been made to align Indian standards with international legal metrology standards, promoting harmonization and facilitating global trade.

(iv) **Risk-Based Inspections:** Implementing risk-based inspection strategies allows authorities to focus resources on areas with higher potential for violations, optimizing enforcement efforts.

(v) **Enhanced Penalties:** Penalties for non-compliance have been revised and increased to serve as stronger deterrents against unfair trade practices.

(vi) **Strengthened Legal Framework:** Amendments and updates to the Legal Metrology rules have been made to address emerging challenges, plug loopholes and align with changing industry practices.

(vii) **International Collaboration:** Collaboration with international organizations and standards bodies has helped India stay updated with global metrology trends and best practices.

3.32 The DoCA informed in written reply that :

“.....advancements in technology have significantly impacted weighing and measuring instruments in India over the last decade. These advancements have improved accuracy, efficiency and transparency in trade transactions. Here are some key developments and potential future directions in the regulatory landscape of weighing and measuring instruments.....”

“.....Over the last decade, there have been several areas of improvement and developments in the regulatory landscape of legal metrology in India. These improvements are aimed at enhancing consumer protection, ensuring

accuracy in measurements and promoting fair trade practices. Some key areas of improvement over the last 10 years include.....”

“.....There has been a shift towards the adoption of digital solutions and technology for the process of verification, inspection and monitoring of weighing and measuring instruments. Digital platforms and mobile applications have been explored to improve transparency and efficiency in regulatory processes.....”

“.....It is to state that while progress has been made in these areas, there might still be ongoing challenges and opportunities for further enhancement in the regulatory landscape of legal metrology. Therefore, regulatory landscape will need to adapt to the changes to ensure that advancements are harnessed effectively while safeguarding consumer interests and maintaining fair trade practices.....”

3.33. Regarding detection of irregularities, the Committee were informed:

In terms of sensing irregularities and alerting concerned agencies, the use of technology is very important for monitoring and early detection of anomalies. The components and features that are part of such a setup:

(i) **Surveillance Systems:** Using cameras at retail outlets and other monitoring devices to gather data from various locations.

(ii) **Cyber security Measures:** Implementing robust cybersecurity protocols to protect the Dispensing Unit from external threats and ensuring the integrity and confidentiality of the data stored in the machine.

(iii) **Enforcement:** The regular inspections of law enforcement agencies to detect irregularities.

(iv) **Regular inspections by Oil Marketing Companies:** The Regular inspections made by Oil Marketing Companies officers ensure the correct delivery to consumers.

(vi) Monitoring of Fuel Stations

3.34 The Committee were informed that the responsibility in relation to weights and measures is shared between the Centre and the States. Matters of National Policy and other related functions such as, uniform laws on weights and measures ,technical regulations, training, precision laboratory facilities and implementation of the International Recommendation are the concern of the Central Government. The State Governments and Union Territory Administration are responsible for the day-to-day enforcement of the laws.

The Weights and Measures Unit in the D/o Consumer Affairs, being the central authority for dealing with the subject, is required to handle all the matters falling within the purview of the Central Government. In addition, it has to guide, co-ordinate and supervise the enforcement activities of the state enforcement machinery

3.35 HPCL in a written reply informed that Fuel Dispensers are the key front-end equipment at OMCs' Fuel Retail Outlet forecourts, which are used to dispense automotive fuels. Multi Product Dispensing (MPD) units are designed to measure, register and deliver accurately the desired quantities of fuel to customers. Over the years, in line with technological upgradation in all fields of engineering, the fuel dispensing units have also undergone major technological upgradation and modernization of equipment. Yester years suction type pumps with mechanical counters & meters in the fuel dispensing units, have progressed to submersible turbine pumps with electronic meters. The digital technology is being used widely for measuring and recording the quantity & price display in the fuel machines. From single product fuel dispensing machines of earlier days to multi product machines are the norm of the day. This provides more flexibility to the fuel station design and operation and is convenient to the customers and fuel station operators to serve the customers efficiently and effectively. The overall efficiency of the fuel station is increasing by providing the Multi Product Dispensing (MPD) Units at fore court for fuel dispensing. The dispensing machines hydraulics have remained the same for the last so many years. But there is a technological upgradation as far as measuring and dispensing is concerned. The smart meters were introduced to measure dispensing of accurate quantity of the product. The display units turned to digital by

introduction of digital technology in manufacturing of the fuel dispensing machines. This ensured more confidence in customers that the quantity dispensed is accurate and as per their requirement & amount paid. The above mentioned modernization in the fuel dispensing technology in the dispensing machines warranted the change in Weight & Measures rules, which is the statute governing operation of the Fuel machines in the Fuel dispensing stations.

3.36. The Committee asked about the details of checking with OTP authentication, in response the DoCA informed:

“A system has been developed for fuel dispensing machines to authenticate and verify for calibration, parts replacement etc. The dual OTP (One-Time Password) process involves the generation of two unique passwords for added security.

(a) **First OTP Generation:** The fuel station system generates the first unique OTP. The operator or responsible personnel at the fuel station inputs the first OTP into the system to verify their identity. The first OTP is used to authenticate and verify the fuel dispensing machine. After this step, a second OTP is generated.

(b) **Second OTP Generation:** Another unique OTP is generated by the system. For enhanced security, a different operator or the fuel station system itself inputs the second OTP. The second OTP is used for final authentication, ensuring that multiple parties are involved in the process for accountability and reliability.

The parties involved in the authentication process typically include:

(a) **Fuel Station Operator:** The person responsible for fuel dispensing and inputting the first OTP.

(b) **Fuel Station System:** The automated system at the fuel station that generates and verifies the OTPs.

(c) **Second Operator or System:** Another operator or the fuel station system itself that inputs the second OTP for additional authentication.

... As the current system of OTP seems to be full proof and there is no instance of it's tampering, therefore, there seems to be no need to include a third party in the OTP system for further accountability.

3.37 In the same context, the Committee were further informed as under:

“The current system of OTP (One-Time Password) authentication for fuel dispensing machines is generally considered secure and robust. It adds an extra layer of security by requiring a unique code for each transaction, thereby reducing the likelihood of unauthorized access or tampering.

While the OTP system significantly enhances accountability and security, no system can be considered completely infallible. However, there seems to be no need to include a third party in the OTP system for further accountability.

Fuel station operators and the fuel station system are playing a significant role in representing consumer interests in various ways. Here are some of them in which they contribute to consumer representation:

(i) **Price Transparency:** Fuel station operators display accurate and transparent information about fuel prices to ensure that consumers are informed about the costs.

(ii) **Product Quality:** Operators are accountable for ensuring the quality of the fuel they dispense. Consumers rely on fuel stations to provide clean and uncontaminated fuel that meets established standards, safeguarding their vehicles from damage.

(iii) **Compliance with Rules:** Operators are complying with rules related to fuel dispensing. Adherence to these rules helps safeguard consumer rights and ensures the correct quantity.

(iv) **Technological Innovations:** The adoption of secure and consumer-friendly technologies, such as the use of OTP authentication systems, demonstrates a commitment to enhancing security and protecting consumers from fraudulent activities at fuel stations.

By prioritizing these aspects, fuel station operators and systems contribute to building consumer trust, promoting a positive consumer experience and upholding the interests and rights of consumers in the fuel industry.”

3.38. On being asked about the various mechanisms and strategies that put in place to ensure that technological advancements are integrated to the advantage of consumer by accommodating technological changes. The DoCA apprised the Committee that:

“Receiving OTPs in remote areas with weak signal strength may be a challenge, as it may lead to delays or failures in delivering the necessary authentication code within the target time. To address this issue, several attempts and strategies are made and implemented:

(i) **Network Expansion:** With the improvement in infrastructure the telecommunication network coverage in remote areas is enhancing to reduce connectivity issues.

(ii) **Alternative Communication Channels:** Instead of relying solely on SMS for OTP delivery, alternative communication channels such as email, etc. are being utilized. This provides flexibility and allows operators to receive OTPs through various other channels that are more reliable in low signal areas.

(iii) **Increased Timeout Periods:** To accommodate potential delays, the validity period of OTPs is extended to provide more time in remote areas to receive and input the authentication code, reducing the likelihood of authentication failures.”

3.39 The Committee enquired as to whether the Union Government has explored the possibility of centralized monitoring of all fuel stations of the country and if so, the details thereof. The Committee were further informed that there have been discussions and efforts towards centralized monitoring of fuel stations, especially in terms of technological solutions and digital platforms to enhance transparency and efficiency in the fuel industry.

3.40 The Committee also enquired if there was any policy for empanelment of inspection agencies for fuel stations and if so, the number of such agencies have been identified in the region. On this Committee were apprised that the verification and stamping of dispensing machines at retail outlets is being done by the Legal Metrology Departments of State Governments every year as per section 24 of the Act. The inspection of these dispensing units at retail outlets is done regularly by the Legal Metrology Officers of the State Governments. The Oil Marketing Companies also do checking of these machines on regular basis to ensure delivery of correct quantity to the consumers.

3.41. During briefing by representatives of Department of Consumer Affairs, the Committee were apprised:

“... once sealed, the seal cannot be tampered with. We have made the calibration OTP based, so that no hardware or software item can compromise the dispensing unit in any way. Similarly family integrity is maintained like pulsar, firmware, software, logic cards, the integrity of all these is ensured”

CHAPTER IV

Regulatory Framework for Weights & Measures

(i) Overview

4.1 Regarding the details of regulatory Framework for Weights and Measures in India, the Committee were apprised that the regulatory framework for weights and measures in India is established to ensure accuracy, fairness and transparency in trade transactions. It encompasses the Legal Metrology Act and rules that govern the use of measuring instruments, pre-packaged commodities and other related aspects. The primary legislation governing weights and measures in India is the Legal Metrology Act, 2009 and rules framed thereunder. The regulatory framework involved:

- (i) **Legal Metrology Act, 2009:** This was the central legislation that provided the legal foundation for regulating weights, measures and other goods sold by weight, measure or number in India. The act aimed to ensure the protection of consumers from unfair trade practices and maintain uniformity and accuracy in measurements. It covered various aspects, including standards, units of measurement, labelling and verification.
- (ii) **Legal Metrology (Packaged Commodities) Rules, 2011:** These rules are framed under the Legal Metrology Act and regulate the packaging and labelling of pre-packaged commodities. They specify requirements for the declaration of net quantity, mandatory information on labels and packaging standards.
- (iii) **Legal Metrology (General) Rules, 2011:** These rules provide detailed guidelines for various aspects of weights and measures, including standards of weights and measures, specifications for various weighing & measuring instruments and testing, verification and other conditions for their use.
- (iv) **Enforcement:** The enforcement of weights and measures rules was carried out by State's Legal Metrology Departments. These Departments are responsible for inspecting and verifying measuring instruments, ensuring compliance with packaging rules and taking action against violations.

(v) **Indian Institute of Legal Metrology (IILM):** IILM was an institution that provides training, research and capacity-building in the field of legal metrology to professionals, Legal Metrology Officers and stakeholders.

(vi) **Weighing and Measurement Equipment:** The regulatory framework covers various types of weighing and measurement equipment, including scales, weighing machines, meters, measuring tapes etc.

(vii) **Verification and Stamping:** Legal metrology authorities conducted verification and stamping of measuring instruments to ensure their accuracy and compliance with rules. The verification process involved checking and certifying instruments for use in trade.

4.2 Overall, the regulatory framework for weights and measures in India aims to create a level playing field for businesses, protect consumer rights and maintain integrity in trade transactions. It establishes rules, guidelines and enforcement mechanisms to ensure that measurements are accurate and transparent across various sectors and industries.

4.3 On being asked about the Legal Provisions specifying the manner of using the instruments, the Committee were apprised that the Legal Metrology Act, 2009, and rules made thereunder lay down the provisions specifying the manner of using weighing and measuring instruments. These provisions ensure that measuring instruments are used accurately, transparently and in a way that prevents unfair trade practices. The key legal provisions related to the use of weighing and measuring instruments are:

(i) **Legal Metrology Act, 2009:**

(a) Section 24: Provisions for Verification and stamping of weight or measure:

(1) Every person having any weight or measure in his possession, custody or control in circumstances indicating that such weight or measure is being, or is intended or is likely to be, used by him in any transaction or for protection, shall, before putting such weight or measure into such use, have such weight or measure verified at such place and during such hours as the Controller may, by general or special order, specify in this behalf, on payment of such fees as may be prescribed.

(2) The Central Government may prescribe the kinds of weights and measures for which the verification is to be done through the Government approved Test Centre.

(3) The Government approved Test Centre shall be notified by the Central Government or the State Government, as the case may be, in such manner, on such terms and conditions and on payment of such fee as may be prescribed.

(4) The Government approved Test Centre shall appoint or engage persons having such qualifications and experience and collect such fee on such terms and conditions for the verification of weights and measures specified under sub-section (2) as may be prescribed.

(b) **Section 25:** Prohibited the use of non-standard weights or measures

(c) **Section 27:** Prohibited the manufacture or sale of non-standard weight or measure

(d) **Section 33:** Prohibited the use of unverified or unstamped weighing or measuring instruments

(ii) **Legal Metrology (General) Rules, 2011:**

(a) **Rule 17:** Prohibition on sale of non-standard weight or measure

(b) **Rule 27:** Provides for periodical verification of weights and measures

(iii) **Legal Metrology (Packaged Commodities) Rules, 2011:**

(a) **Rule 6:** Provides for the manner of declaration of net quantity, MRP and other mandatory declarations on packaged commodities ensuring accurate information for consumers.

(b) **Rule 7:** Provides the manner of labeling, including font size, etc.

(iv) **Penalties for Non-Compliance:** The Legal Metrology Act provides for penalties in case of non-compliance with the provisions related to the use of weighing and measuring instruments. Penalties may include fines or imprisonment.

It is to state that the legal provisions mentioned above aim to ensure fair trade practices, consumer protection and accuracy in measurements. Businesses and individuals involved in trade must comply with these provisions to maintain transparency and integrity in commercial transactions.

(ii) **Enforcement Mechanism**

4.4 The Committed asked DoCA to apprise them about Enforcement Mechanism. The Committee were informed that the enforcement mechanisms of legal metrology were designed to ensure compliance with the Legal Metrology Act, 2009, and rules made thereunder. These mechanisms involved regulatory authorities responsible for monitoring and regulating various aspects of weights and measures to prevent unfair trade practices and protect consumer interests. The key components of the enforcement mechanisms are:

(i) **Department of Consumer Affairs:** The Department of Consumer Affairs, under the Ministry of Consumer Affairs, Food and Public Distribution, is the nodal agency responsible for formulating policies, laws and rules related to legal metrology in the country and provides overall direction and guidance for the enforcement of legal metrology standards. It coordinates the development of legal metrology standards, training programs and policy formulation.

(ii) **State Legal Metrology Departments:** Each state in India has its own State Legal Metrology Department responsible for enforcing weights, measures and packaging rules within the State's jurisdiction. These Departments monitor and regulate various aspects of trade, including measurement accuracy, packaging and labeling.

(iii) **Inspection and Verification:** Legal metrology authorities conduct regular inspections of businesses, industries and trade establishments to

ensure compliance with legal metrology regulations. This includes verifying the accuracy of weighing and measuring instruments, checking packaging standards and ensuring proper labeling.

(iv) **Sampling and Testing:** Legal Metrology authorities take samples of pre-packaged commodities for testing to verify compliance with labeling and net quantity requirements. Non-compliance may lead to penalties.

(v) **Seizure and Legal Action:** In cases of violations or repeated non-compliance, regulatory authorities have the power to seize non-compliant instruments, goods, or packages. Legal action, including fines and penalties, may be imposed on businesses that do not adhere to legal metrology rules.

(vi) **Consumer Complaint Mechanism:** Legal metrology departments have mechanisms for consumers to file complaints related to inaccurate measurements, incorrect labeling or other violations. These complaints are investigated, and appropriate action is taken.

(vii) **Awareness and Education:** Legal Metrology authorities also play a role in educating businesses, traders, and consumers about their rights and responsibilities under legal metrology rules. Awareness campaigns and training programs are conducted to promote understanding and compliance.

(viii) **Collaboration with Industry:** Legal Metrology authorities collaborate with industry associations, manufacturers, and trade bodies to promote understanding of legal metrology requirements and facilitate compliance.

(ix) **Use of Technology:** Increasingly, technology is being used to facilitate enforcement mechanisms such as digitalization of all services provided by Legal Metrology.

The enforcement mechanisms aim to create a level playing field for businesses, protect consumers from unfair trade practices and ensure that measuring instruments and pre-packaged goods meet accurate standards.

(iii) Penalties for Non-Compliance

4.5 Regarding Penalties and legal consequences for non-compliance, the Committee were informed that the non-compliance with the Legal Metrology Act, 2009, and rules made thereunder may lead to various penalties and legal consequences. The severity of penalties depends on the nature of the violation, the extent of non-compliance and whether the violation is a first-time offense or a repeated one. The potential penalties and legal consequences for non-compliance were:

(i) **Fines:** One of the common consequences of non-compliance is the imposition of fines. The Legal Metrology Act specifies fines for different types of violations, which may vary based on the severity of the offense.

(ii) **Imprisonment:** For serious violations or repeated non-compliance, imprisonment may be imposed by the competent court of law. The term of imprisonment may vary.

iii) **Seizure of Goods or weighing & measuring Instruments:** Legal Metrology authorities may seize non-compliant weighing and measuring instruments, pre-packaged goods or commodities.

(iv) **Confiscation of Non-Standard Instruments:** Instruments that do not conform to legal metrology standards and have been used for trade may be confiscated.

(v) **Publication of Offense:** In some cases, details of non-compliance, including the name and address of the violator, may be published.

It was stated that legal consequences for non-compliance may vary depending on the specific provisions violated and the intent behind the violation. The act and rules also outline the procedures for initiating legal action and conducting trials in cases of non-compliance.

(iv) Regulatory Authority

4.6 Regarding the role of the Regulatory Authorities, DoCA informed the Committee that the Regulatory Legal Metrology Authorities in India play a crucial role in ensuring fairness, transparency and accuracy in trade transactions by enforcing the provisions of the Legal Metrology Act, 2009 and rules made thereunder. These authorities were responsible for regulating weights, measures and other goods sold or distributed by weight, measure or number. Their role is as follows:

“(i) **Enforcement of Standards:** Legal Metrology Authorities are responsible for enforcing standards of weights and measures. They ensure that measuring instruments used in trade, such as weighing & measuring instrument meet specified accuracy and other requirements.

(ii) **Verification and Stamping:** They conduct regular verification and stamping of weighing and measuring instruments to ensure their accuracy. This process involves testing, adjusting and certifying instruments for use in trade. Verification is performed at regular intervals to maintain accuracy.

(iii) **Inspections:** Regulatory authorities conduct inspections of businesses, industries and trade establishments to ensure compliance with legal metrology laws. They check for accurate measurements, proper labeling and adherence to mandatory packaging requirements.

(iv) **Sampling and Testing:** Authorities collect samples of pre-packaged commodities to test for compliance with labeling and net quantity requirements. This helps ensure that consumers receive the correct quantity and information required for informed choice.

(v) **Consumer Complaints:** They address consumer complaints related to inaccurate measurements, incorrect labeling or other violations of legal metrology laws. Complaints are investigated and appropriate action is taken to resolve issues.

(vi) **Awareness and Education:** Authorities conduct awareness campaigns, training programs and workshops to educate businesses, traders and consumers about legal metrology laws and their rights & responsibilities.

(vii) **Penalties and Legal Action:** In cases of non-compliance with legal metrology laws, authorities impose fines and take legal action against violators. These penalties may vary based on the severity of the violation.

Overall, the role of Legal Metrology Authorities was to safeguard consumer interests, maintain fair trade practices and uphold the integrity of measurements and transactions. Their efforts contribute to building consumer confidence, ensuring accurate measurements and preventing fraud and unfair practices in the marketplace.”

4.7. Section 1 (9) of the Consumer Protection Act, 2019 lays down various rights of the consumers, which are enumerated as under:

- i) the right to be protected against the marketing of goods, products or services which are hazardous to life and property;
- ii) the right to be informed about the quality, quantity, potency, purity, standard and price of goods, products or services, as the case may be, so as to protect the consumer against unfair trade practices;
- iii) the right to be assured, wherever possible, access to a variety of goods, products or services at competitive prices;
- iv) the right to be heard and to be assured that consumer's interests will receive due consideration at appropriate fora;
- v) the right to seek redressal against unfair trade practice or restrictive trade practices or unscrupulous exploitation of consumers; and
- vi) the right to consumer awareness.

4.8. The Committee were also informed as follows:-

“OMCs have taken various measures to ensure transparency in the operation of Fuel stations which in turn resulted in building Consumer Trust. Some of the measures taken in this regard are as below:

- a. Quality and Quantity of Petrol and Diesel is checked on a daily basis by the Dealers and a record is maintained. Consumers / customers, at their will can also check Quantity and Quality of the product being dispensed at the fuel stations. For this purpose, a calibrated 5-liter measure (for quantity

check) and certified Hydrometer and Thermometer (for Quality Check) are available at the Fuel stations.

- b. Dealers are required to display the opening Stock of Petrol and Diesel on daily basis at their outlets. Retail Selling price of Petrol, Diesel and Branded Fuels (if facility is available at the fuel Station) are displayed on stock Boards at the Fuel Stations. In addition, the Retail selling prices are also displayed on individual Dispensing Unit at the retail outlets.
- c. Individual OMCs have implemented their Standard Operating practices at the retail outlets whereby the deliverymen at dispensing units have been advised to Show "0" before the delivery is started.
- d. The name and telephone number of the dealer and the concerned sales Officer are displayed at Fuel Stations for any assistance for the consumers.
- e. Daily Stock / Sales Registers and Density registers are maintained by the dealers and are available at the fuel station for the purpose of inspection by any competent Inspecting agency.
- f. Complaint / Suggestion books are available at all the Fuel Stations for consumers who may raise their grievances w.r.t the facilities / services / or any other issue. Customers can also log their complaints / grievances online with respective OMCs.
- g. OMCs have adopted technological measures for better monitoring of RO operation through automation of all active Retail Outlets. All active Retail Outlets (Fuel Stations) have been/are being automated for better monitoring of RO operation. The product receipts and issues at Retail Outlets are monitored by automation to prevent malpractices. The transaction records of RO are available for any future reference. Thus, automation by OMCs is a technological deterrent for wrong practices (malpractices) at retail outlets.
- h. Samples of Petrol and Diesel are also drawn, at random, from petrol pumps and sent for testing to authorized laboratories. In case it is established that sample test reports do not match with the standards,

appropriate stringent action is taken against the erring dealers / transport contractor, as applicable.

- i. Tankers are being sealed before leaving Company premises to protect against pilferage en-route. A temper proof locking system has been introduced in tank trucks delivering petrol / diesel at retail outlets. Tank Trucks are also installed with VTS to track the movement / deviation from assigned path, of tank trucks.
- j. Regular inspection of retail outlets is carried out by IOC field officers/Sr. officers throughout the country. Further surprise inspection of retail outlets is also carried out by Quality Reassurance Cell of IOCL. Action is taken on established cases of irregularities as per the Marketing Discipline Guidelines and Dealership Agreement. Surprise inspections are also carried out by IOCL Mobile labs, wherein samples from retail outlets are drawn and tested.”

4.9 Besides the above, OMCs have formulated and implemented Marketing Discipline Guidelines (MDG - 2012) for building / improving consumer satisfaction / service and also for instituting discipline in operation of Retail Outlet Dealerships. This has helped to ensure the following:

- “Dealers dispense and customers receive products of the right quality and quantity.
- Dealers follow correct and safe practices in handling and dispensing petroleum products.
- A uniform code of conduct and discipline is enforced throughout the dealership network.”

PART – II

Observations and Recommendations

1. The Committee observe that in achieving goal of fair practices, the authorities and stakeholders face many challenges like accurate measurement, tempering and fraud, lack of regular inspection, consumer awareness, difficulties in remote monitoring, technological advancement and complex supply chain etc. In Committee's view, in order to address these challenges and ensure fair practices at fuel stations, it is essential for Central and State regulatory authorities, fuel retailers, consumer advocacy groups and technology providers to work in better coordination. The Committee, therefore, recommend that the Government should make efforts to bring all these stakeholders on a single platform and establish a coordination mechanism involving representatives of all the stakeholders for regulation of fair practices with regard to weights and measures relating to dispensing machines at fuel stations.

2. The Committee understand that Legal Metrology Act 2009 aims to establish standards for weights and measures and regulate trade and commerce concerning goods sold or distributed by weight, measure or number. The Committee appreciate the efforts of the Government in amending the provisions of Legal Metrology Act through Jan Vishwas (Amendment of Provisions) Act, 2023 that has a significant legislative development. The Committee consider that the amendment in various sections of Legal Metrology Act 2009 with regard to penalty sections is a praiseworthy effort of the Government.

The Committee are confident that under '*The Jan Vishwas (Amendment of Provisions) Act, 2023*' the decriminalization of large number of minor offences and replacing them with monetary penalties will have long term impact in the country. The Committee firmly believe that the Act would not only make lives and businesses easier, deter non-compliance, promote fair trade practices, but also reduce judicial burden at large. The Committee hope that the Government shall ensure the implementation of the Act in letter and spirit so that all these objectives are achieved.

3. The Committee note that Advancements in technology have significantly impacted weighing and measuring instruments in India over the last decade. These advancements have improved accuracy, efficiency and transparency in trade transactions. They also note that Oil Marketing Companies (OMC) have upgraded their fuel dispensers to meet the updated security features stipulations from Legal Metrology and that all new procurements are done as per the latest security upgrades. The Committee further note with appreciation that all dispenser configurations are tested thoroughly for software and hardware integrity and security features at Centre for Development of Advanced Computing (CDAC), Government of India before deployment in Retail Outlets (RO). They hope that the Government and the OMCs will continue their collaborative exercise so as to uphold the interests of consumers. They also desire that while patronizing the existing technological breakthroughs, the Government should consistently encourage more research to keep pace with the march of technology.

4. The Committee note that OMCs have implemented their Standard Operating practices at the Retail Outlets (ROs) whereby the deliverymen at dispensing units have been advised to Show “0” before the delivery is started and that the customers visiting fuel stations are made to stand in such a way that they can see the display screen directly and that staff at the fuel stations request the customers to see “Zero” display on the screen to ensure fair transaction at fuel stations. They also note that Complaint / Suggestion books are available at all the Fuel Stations for consumers who may raise their grievances w.r.t the facilities / services / or any other issue. While appreciating the existence of consumer grievance Redressal system in the Retail Outlets (ROs), the Committee desire that the mandate of consumer’s right to be protected in all possible ways. The Committee understand that customers visiting fuel stations don’t have much time for seeking Redressal of grievances and on many of the retail outlets, vehicles are made to park in such a way that the fuel vent of cars remain adjacent to the pipes which causes display screen slightly behind the driver’s seat and a bit higher for driver’s sight. The Committee, therefore, desire that necessary directions should be issued so that display screen at dispensing machines are placed to be made

visible to the driver and if need be, a longer fuel pipe should be used for fuelling the vehicles.

5. The Committee note that the regulatory framework for weights and measures in India is established to ensure accuracy, fairness and transparency in trade transactions. It encompasses the LM Act and rules that govern the use of measuring instruments etc. while acknowledging the significant progress made in these areas. The Committee understand that there might still be ongoing challenges and opportunities for further enhancement in the regulatory landscape of legal metrology in the country. Therefore, the Committee desire that regulatory landscape need to be adapted to the changes of modern times to ensure that advancements are harnessed effectively while safeguarding consumer interests and maintaining fair trade practices. The Committee may be apprised accordingly.

6. The Committee note that there has been a shift towards the adoption of digital solutions and technology for the process of verification, inspection and monitoring of weighing and measuring instruments. The Committee desire that a system should be constructed wherein all fuel dispensed should be monitored and any irregularities in the process be reported instantly to the concerned agencies. As Central Consumer Protection Authority (CCPA) is authorized to regulate matters relating to violation of rights of consumers and unfair trade practices, the Committee, therefore, recommend that in the event of such irregularity in the fuel station, an instant alert should go to the agency, i.e. the CCPA for its necessary action.

7. The Committee observe that Legal Metrology is the application of legal requirements to measurements and measuring instruments to ensure public guarantee from the point of view of security and accuracy of the weighments and measurements, to builds confidence in trade, industry & consumer and to create harmonious environment for conducting business. They also note that Section 24 provides for verification and stamping of weight or measure. The Act encompasses various aspects related to metrology, verification and stamping of instruments, enforcement and penalties, consumer protection, etc. Being covered under the ambit of Legal Metrology Act, 2009, the fuel dispensing pumps also adhere to the standards, thus exhibiting consistency

and reliability in their measuring system ensuring protection of consumer interests at fuel stations. The Committee hope that while implementing the Act, the Government will ensure public guarantee from the point of view of accuracy of the weighments and measurements so as to create a harmonious atmosphere for trade and industry to flourish and at the same time to build consumer trust.

8. The Committee note that Fuel pump calibration is crucial to safeguarding the consumer interest and a slight variation of millilitres in the amount of fuel being dispensed can add up to several litres of fuel being under-dispensed or over-dispensed. The Committee also learn that calibration of fuel dispensing units is done once in 12 months. Also, the Government have come up with a unique temper proof technology for such calibration which involves secure and consumer-friendly technologies, such as the use of OTP authentication systems involving fuel station operator, fuel station system and second operator or system and demonstrates a commitment to enhancing security and protecting consumers from fraudulent activities at fuel stations. To accommodate potential delays in remote areas with weak signal strength, the validity period of OTPs is extended to provide more time in remote areas to receive and input the authentication code, reducing the likelihood of authentication failures. While the OTP system significantly enhances accountability and security. In this regard, the Committee, therefore, recommend that the Government should ensure the scrupulous adherence to the OTP system and meanwhile explore the possibility of roping in other advance technology for yearly calibration of dispensing machines.

9. The Committee observe that there have been discussions and efforts towards centralized monitoring of fuel stations, especially in terms of technological solutions and digital platforms to enhance transparency and efficiency in the fuel industry. The Committee applaud the Government for conducting a round table workshop on “measurement of petroleum products and related issues” which was held on 09.06.2023 with stakeholders’ viz. representatives of Oil Marketing Companies, representatives of the Petroleum Dealers Associations, Controllers of Legal Metrology of all States/ UTs, representative of Centre for Development of Advanced Computing (C-DAC)

and Forest College & Research Institute (FCRI), etc. The Committee note with satisfaction that various issues of the Petroleum Retail Outlet Dealers were resolved during the workshop. The Committee also note that a meeting with Petroleum Dealers Associations, Oil Marketing Companies and State Legal Metrology Departments of Andhra Pradesh, Karnataka, Kerala and Tamil Nadu was held on 29.9.2023 to discuss and resolve the issues of petroleum dealers and to ensure the correct quantity to the consumers. The Committee therefore desire that a concrete plan to monitor the functioning of the Retail Outlets all over the country should be brought out in a time bound phased manner. The Committee may also be apprised about the progress made in this direction.

New Delhi;
06 February, 2024
17 Magha, 1945 (Saka)

LOCKET CHATTERJEE,
Chairperson,
Standing Committee on
Consumer Affairs, Food and Public Distribution

**MINUTES OF THE SEVENTEENTH SITTING OF THE STANDING COMMITTEE
ON CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (2022-2023)
HELD ON WEDNESDAY, 26 JULY, 2023**

The Committee sat from 1500 hrs. to 1615 hrs. in Committee Room 'B',
Ground Floor, Parliament House Annexe, New Delhi.

PRESENT

Smt. Locket Chatterjee - Chairperson

Members

Lok Sabha

2. Dr. Farooq Abdullah
3. Shafiqur Rahman Barq
4. Ms. Debasree Chaudhuri
5. Shri Anil Firojiya
6. Shri Khagen Murmu
7. Shri Mitesh Rameshbhai Patel
8. Shri Ganesan Selvam
9. Dr. Amar Singh
10. Smt. Himadri Singh
11. Smt. Kavita Singh
12. Shri Saptagiri Sankar Ulaka
13. Shri Ve. Vaithilingam

Rajya Sabha

14. Shri Satish Chandra Dubey
15. Dr. Fauzia Khan
16. Shri Rajmani Patel
17. Shri C. Ve Shanmugam
18. Shri Harbhajan Singh

SECRETARIAT

1. Shri Srinivasulu Gunda - Joint Secretary
2. Dr. Mohit Rajan - Deputy Secretary
3. Shri Dong Lianthang Tonsing - Deputy Secretary

WITNESSES

SI No.	Name	Designation
1.	Smt. Nidhi Khare	Additional Secretary
2.	Shri Vineet Mathur	Joint Secretary
3.	Shri Anupam Mishra	Joint Secretary
4.	Dr. Kamkhenthang Guite	Economic Adviser
5.	Shri Shashi Bhushan	Adviser Cost
6.	Shri Aman Jain	Director (P&C)
7.	Dr. A.K. Sharma	Director (LM)
8.	Dr. N. Natarajan	Director (NIC)

2. At the outset, the Chairperson welcomed the Members to the sitting of the Committee convened to have briefing by the representatives of the Department of Consumer Affairs on the subject 'Regulation of Weights and Measures with specific reference to Dispensing Machines at Fuel Stations'.

[The witnesses were then called in.]

3. The Chairperson then welcomed the representatives of Department of Consumer Affairs to the sitting and apprised them about Direction 55 (1) of the 'Directions by the Speaker' regarding confidentiality of the proceedings. Thereafter, the witnesses introduced themselves and then the representatives of the Department of Consumer Affairs briefed the Committee on various aspects of the subject 'Regulation of Weights and Measures with specific reference to Dispensing Machines at Fuel Stations' with the help of power point presentation. The main issues covered, *inter-alia*, included the Constitutional Provisions, the Specific Provisions under the Legal Metrology Act, 2009, the New Technologies, Recent Developments, New Initiatives, Maximum and Minimum Permissible Error in the Dispensing Machines at Fuel Stations, Advisories/ directions issued to prevent tampering like E-sealing of Dispensing Units, Tower Calibration at Terminal/ Depot and Tank Lorry Calibration, etc. The queries raised by the Acting Chairperson and the Members on various issues during the course of briefing were responded to by the witnesses.

4. The Hon'ble Chairperson then thanked the representatives of Department of Consumer Affairs for briefing the Committee and directed them to furnish information to the Committee on the issues that remained unanswered/partially answered and also some further clarifications in connection with detailed examination of the subject.

[The Witnesses then withdrew]

A verbatim record of the proceedings has been kept.

The Committee then adjourned.

MINUTES OF THE SIXTH SITTING OF THE STANDING COMMITTEE ON CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (2023-2024) HELD ON TUESDAY, 12 DECEMBER, 2023

The Committee sat from 1500 hrs. to 1600 hrs. in Committee Room No. 1, Extension to Parliament House Annexe, 'A' Block, New Delhi.

PRESENT

Smt. Locket Chatterjee - Chairperson

Members

Lok Sabha

2. Shri Faizal P.P. Mohammed
3. Shri Khagen Murmu
4. Shri Mitesh Rameshbhai Patel
5. Shri Ganesan Selvam
6. Dr. Amar Singh
7. Smt. Himadri Singh
8. Shri Saptagiri Sankar Ulaka
9. Shri Rajmohan Unnithan
10. Shri Vaithilingam Ve.

Rajya Sabha

11. Shri Satish Chandra Dubey
12. Shri Baburam Nishad
13. Shri Rajmani Patel
14. Shri C. Ve Shanmugam
15. Shri Prakash Chik Baraik

SECRETARIAT

1. Dr. Ram Raj Rai - Joint Secretary
2. Dr. Vatsala Joshi - Director
3. Dr. Mohit Rajan - Deputy Secretary
4. Shri Dong Lianthang Tonsing - Deputy Secretary

WITNESSES

Sl No.	Name	Designation
1.	Shri Rohit Kumar Singh	Secretary (DoCA)
2.	Shri Shantmanu	AS&FA
3.	Shri I.S. Negi	Sr. Economic Advisor
4.	Shri Vineet Mathur	Joint Secretary
5.	Shri Shashi Bhushan	Adviser (Cost)
6.	Shri Aman Jain	Director
7.	Shri Ashutosh Agrawal	Incharge-Director

2. At the outset, the Chairperson welcomed the Members to the sitting of the Committee convened to have oral evidence of the representatives of the Department of Consumer Affairs on the subject 'Regulation of Weights and Measures with specific reference to Dispensing Machines at Fuel Stations'.

[The witnesses were then called in.]

3. The Chairperson then welcomed the representatives of Department of Consumer Affairs to the sitting and apprised them about Direction 55 (1) of the 'Directions by the Speaker' regarding confidentiality of the proceedings. Thereafter, the witnesses introduced themselves and then the representatives of the Department of Consumer Affairs briefed the Committee on various aspects of the subject 'Regulation of Weights and Measures with specific reference to Dispensing Machines at Fuel Stations' with the help of power point presentation. The main issues covered, *inter-alia*, included the Consumer Focus, Legal Metrology- Quantity Assurance, Legal Metrology Act, 2009 and Rules framed thereunder, Balance between Consumer and Industry, Legal Metrology for Atmanirbhar Bharat, Time Dissemination, India becoming an OIML Certificates Issuing Authority, Mandatory compliances for W&M instrument including fuel dispensing machines, Nature of offences and Penalties prescribed, Regulatory Agencies for Dispensing Machines at

Fuel Stations, Maximum Permissible Error, Advisories/ directions issued to prevent tampering, Workshops held at Delhi and Madurai, Meeting with State Governments Legal Metrology, Oil Marketing Companies (OMCs) & Retail Outlets (RO) Dealers, etc. The queries raised by the Members on various issues during the course of briefing were responded to by the witnesses.

4. The Hon'ble Chairperson then thanked the representatives of Department of Consumer Affairs for deposing before the Committee and directed them to furnish information to the Committee on the issues that remained unanswered/partially answered and also some further clarifications in connection with detailed examination of the subject.

[The *Witnesses* then *withdrew*.]

A verbatim record of the proceedings has been kept.

The Committee then adjourned.

MINUTES OF THE EIGHTH SITTING OF THE STANDING COMMITTEE ON CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (2023-24) HELD ON TUESDAY, 6TH FEBRUARY, 2024

The Committee sat from 1030 hrs. to 1100 hrs. in Chairperson's Chamber, Room No. 140, Third Floor, Samvidhan Sadan, New Delhi.

PRESENT

Smt. Locket Chatterjee - Chairperson

Members

Lok Sabha

2. Dr. Farooq Abdullah
3. Shri Faizal P.P. Mohammed
4. Shri Rajendra Dhedyia Gavit
5. Shri Khagen Murmu
6. Shri Mitesh Rameshbhai Patel
7. Shri Ganesan Selvam
8. Dr. Amar Singh
9. Shri Rajmohan Unnithan

Rajya Sabha

10. Dr. Ashok Bajpai
11. Shri Satish Chandra Dubey
12. Dr. Fauzia Khan
13. Shri Baburam Nishad
14. Shri Sakaldeep Rajbhar

SECRETARIAT

1. Dr. Ram Raj Rai - Joint Secretary
2. Dr. Vatsala Joshi - Director
3. Dr. Mohit Rajan - Deputy Secretary

2. At the outset, Hon'ble Chairperson welcomed the Members to the sitting of the Committee convened for consideration and adoption of the following Draft Reports:

(i) Draft Report on the subject, 'Regulation of Weights and Measures with specific reference to Dispensing Machines at Fuel Stations' pertaining to the Department of Consumer Affairs;

(ii) XXXXX XXXXX XXXXX XXXXX

3. Thereafter, the Committee took up for consideration the Draft Reports.

4. After some deliberations, the Committee adopted both the Draft Reports without any amendments/modifications.

5. The Committee then authorized Hon'ble Chairperson to finalize the report and present/lay the same in both Houses of Parliament.

The Committee then adjourned.

XXXXX Matter does not relate to the Report.